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said period has already expired or shall hereafter expire during the continuance of said emergency and in which the Foreign Economic Administration certifies to the Commissioner of Customs that such extension will not impede the war effort; and

(3) To extend further the one-year period prescribed in section 491, *supra*, as amended, and the three-year period prescribed in sections 557 and 559, *supra*, as amended, for additional periods of not more than one year each from and after the expiration of the immediately preceding extension in any case in which said extension shall expire during the continuance of said emergency and in which the Foreign Economic Administration certifies to the Commissioner of Customs that such additional extension will not impede the war effort;

*Provided, however,* That in each and every case under numbered paragraphs (1), (2), and (3), above, in which the merchandise is charged against an entry bond, the Secretary of the Treasury shall require that the principal on such bond, in order to obtain the benefit of any extension which may be granted under the authority of this proclamation, shall furnish to the collector of customs at the port where the bond is on file either the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, or an additional bond with acceptable sureties to cover the period of extension; and that, in each and every case in which the merchandise remains charged against a carrier's bond the Secretary of the Treasury shall require that the principal on such bond shall agree to the extension and shall furnish to the collector of customs at the port where the charge was made the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted; and

*Provided further,* That the extensions of one year authorized in this proclamation shall not apply in any case in which the period sought to be extended expired prior to December 7, 1942 or in which the merchandise in question has been sold by the Government as abandoned.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 4th day of November, in the year of our Lord nineteen hundred and [SEAL] forty-three, and of the Independence of the United States of America the one hundred and sixty-eighth.

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.,  
Acting Secretary of State.

[F.R. Doc. 43-17994; Filed, November 6, 1943; 11:20 a. m.]

EXECUTIVE ORDER 9390

TRANSFERRING THE USE, POSSESSION, AND CONTROL OF CERTAIN LANDS IN THE NANTAHALA NATIONAL FOREST FROM THE DEPARTMENT OF AGRICULTURE TO THE TENNESSEE VALLEY AUTHORITY

Correction

In Executive Order 9390, appearing on page 14597 of the issue for Thursday, October 28, 1943, under the caption "FR-824" the second coordinate referred to in the first paragraph should read "E. 639,336".

EXECUTIVE ORDER 9391

TRANSFERRING THE USE, POSSESSION, AND CONTROL OF CERTAIN LANDS IN THE CHEROKEE NATIONAL FOREST FROM THE DEPARTMENT OF AGRICULTURE TO THE TENNESSEE VALLEY AUTHORITY

Correction

In Executive Order 9391, appearing at page 14597 of the issue for Thursday, October 28, 1943, the following changes should be made:

Under the caption "AR-143-T" the third paragraph should read "To SE Cor. Sec. 16, S. 66' 00' E., 1465 ft.;"

For "Occee" read "Ocoee" wherever it occurs.

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-86]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM, SPRINGFIELD, OHIO, SALES AREA

Correction

In F.R. Doc. 43-17559, appearing on page 14724 of the issue for Saturday, October 30, 1943, subdivision (vi) in subparagraph (3) of § 1401.121 (e) should read as follows: "and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent".

TITLE 10—ARMY: WAR DEPARTMENT

Chapter X—Areas Restricted for National Defense Purposes

[Public Proclamation 20]

PART 102—CONTROL OF LIGHTING WITHIN RESTRICTED ZONES

WASHINGTON, OREGON AND CALIFORNIA; SUSPENSION OF LIGHTING RESTRICTIONS

OCTOBER 28, 1943.

Whereas, Public Proclamation No. 19,<sup>1</sup> this headquarters, dated 10 October 1943, was promulgated, imposing among other things, certain restrictions upon lighting within designated zones of the Western Defense Command, and

<sup>1</sup> See § 102.1, 8 F.R. 13997.

Whereas, it has been determined that in view of improved defensive measures now in effect, those lighting restrictions are not, for the time being, required,

Now, therefore, I, Delos C. Emmons, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and of my powers and prerogatives as Commanding General of the Western Defense Command, do hereby declare and proclaim that, effective 1 November 1943, the lighting restrictions of said Proclamation No. 19 are hereby suspended until further notice; but this suspension shall not affect any offense committed or penalty incurred under said Proclamation No. 19, or any orders issued thereunder, prior to the effective date hereof.

The lighting restrictions hereby suspended may be renewed, in full force and effect, at any time and from time to time as may be deemed necessary because of the military situation.

The suspension herein provided for shall have no effect upon existing or future laws or regulations governing blackouts, but relates solely to lighting restrictions for dim-out purposes as promulgated by said Proclamation No. 19.

DELOS C. EMMONS,  
Lieutenant General, U. S. Army,  
Commanding.

[F. R. Doc. 43-17986; Filed, November 6, 1943; 10:09 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50959]

PART 14—APPRAISEMENT

EXAMINATION OF MERCHANDISE AT BROWNSVILLE, TEXAS

Examination of less than one package of every ten packages of flavoring sirup authorized: § 14.1 (b). Customs Regulations of 1943, amended (8 F.R. 8296).

TO THE COLLECTOR OF CUSTOMS, LAREDO, TEXAS:

It is my opinion that at the port of Brownsville, Texas, the examination of less than one package of every ten packages of flavoring sirup covered by one invoice and imported in packages, the contents and value of which are uniform, will amply protect the revenue.

Therefore, by virtue of the authority contained in sections 499 and 624 of the Tariff Act of 1930, as amended (19 U.S.C. secs. 1499 and 1624), I do by this special regulation permit and authorize a less number of packages than one package of every ten packages, but not less than one package of every invoice, of flavoring sirup to be examined at the port of Brownsville, Texas.

This special regulation shall not be construed to preclude the examination of packages in addition to the minimum number hereby permitted to be exam-

ined if the collector or the appraiser shall deem it necessary that a greater number of packages be examined.

In view of the foregoing, and a similar regulation as to flavoring sirup imported at the port of Laredo, Texas, published in Treasury Decision 50851, § 14.1 (b), Customs Regulations of 1943 (19 CFR 14.1 (b)), containing a list of merchandise as to which collectors are especially authorized to designate for examination less than one package of every ten packages, is hereby amended by inserting in said list after "Silk, raw, and waste." the following:

Sirup, flavoring (at the ports of Laredo, Texas, and Brownsville, Texas, only).

The number of this Treasury decision shall be added as a marginal notation to § 14.1 (b).

(Sec. 499, 46 Stat. 728, secs. 15, 16 (a), 52 Stat. 1084, sec. 624, 46 Stat. 759; 19 U.S.C. 1499, 1624)

[SEAL]

W. R. JOHNSON,  
Commissioner of Customs.

Approved: November 5, 1943.

HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-18009; Filed, November 6, 1943;  
4:02 p. m.]

## TITLE 29—LABOR

### Chapter V—Wage and Hour Division

#### PART 633—MINIMUM WAGE RATE AND REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE EMBROIDERIES INDUSTRY

##### POSTPONEMENT OF EFFECTIVE DATE

In the matter of the postponement of the effective date of the regulations applicable to the employment of home workers in the embroideries industry, Title 29, Chapter V, Code of Federal Regulations, Part 633 and § 633.100 (8 F.R. 12127),

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, by Part 633, Chapter V, Title 29, Code of Federal Regulations, issued a wage order for the embroideries industry establishing for such industry a minimum wage rate of 40 cents an hour effective September 20, 1943, and prescribing terms and conditions applicable to industrial home work employment, effective November 15, 1943; and

Whereas the Administrator, by §§ 633.100 to 633.112, inclusive, Title 29, Chapter V, Code of Federal Regulations, issued regulations applicable to industrial home work employment in the embroideries industry, pursuant to the aforesaid wage order for the embroideries industry and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, effective November 15, 1943; and

Whereas a petition was filed pursuant to § 633.112 of the aforementioned regulations with the Administrator by interested parties, requesting postponement of the effective date of the regulations applicable to the employment of home

workers in the embroideries industry to March 31, 1944; and

Whereas after notice published in the FEDERAL REGISTER on October 16, 1943, Mr. Merle D. Vincent, the presiding officer designated by the Administrator, held a public hearing on October 29, 1943, at New York, New York at which all interested persons were given an opportunity to submit evidence and argument on the question whether the effective date of the regulations applicable to the employment of home workers in the embroideries industry should be postponed to March 31, 1944; and

Whereas the Presiding Officer has recommended upon the record of the hearing that the effective date of the industrial home work provisions in the wage order for and regulations applicable to the employment of home workers in the embroideries industry be postponed to March 31, 1944.

The effective date of the industrial home work provisions in the wage order for and regulations applicable to the employment of home workers in the embroideries industry is hereby changed to March 31, 1944.

This order shall be effective upon publication in the FEDERAL REGISTER.

Signed at New York, New York, this 6th day of November 1943.

L. METCALFE WALLING,  
Administrator,  
Wage and Hour Division.

[F. R. Doc. 43-18066; Filed, November 8, 1943;  
11:21 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

[Reg. 8]

#### PART 602—GENERAL ORDERS AND DIRECTIVES

##### SHIPMENT OF UNBILLED COAL FROZEN AT MINES PERMITTED AND REQUIRED

On October 29, 1943 specific directions were issued, pursuant to Solid Fuels Administration for War Regulation No. 1,<sup>1</sup> to producers of bituminous coal requiring them to hold unbilled on tracks at their mines "the maximum possible number of cars preferably of lump and double screened coal consistent with continuous full mine operation." It now appears to be practicable and necessary to modify these directions so as to permit and to require certain sizes of bituminous coal produced in certain districts and now held unbilled on tracks at the mines to move to certain areas and for certain uses. Accordingly, in order to effectuate the purposes of Executive Order No. 9332, and by virtue of the authority conferred by that order the following regulation is issued by the Solid Fuels Administrator for War:

§ 602.151 *Definitions.* (a) "Bituminous coal" means all bituminous and subbituminous coal having calorific

value in British thermal units of more than seven thousand six hundred per pound and having a natural moisture content in place in the mine of less than 30 per centum, and all coal designated as lignite produced in the State of Wyoming having calorific value in British thermal units of more than seven thousand six hundred per pound and having a natural moisture content in place in the mine of less than 30 per centum or more.

(b) "Unbilled coal frozen at mines" means all bituminous coal held on tracks at the mines pursuant to directions of the Solid Fuels Administrator for War issued to producers on October 29, 1943.

(c) "District 2", "District 7" and "District 8" mean those producing districts described as such in the Annex to the Bituminous Coal Act of 1937.

(d) "Producer" means any person engaged in the business of mining or preparing bituminous coal (or the sales agent of any such person).

§ 602.152 *Shipments of unbilled coal frozen at mines permitted and required.* Except as provided in section 3 of this regulation:

(a) Producers shall ship unbilled coal frozen at mines in District 7 in lump and egg sizes on orders from retail dealers in the State of Michigan.

(b) After obtaining clearance from the area distribution manager, producers shall ship unbilled coal frozen at mines in District 8 in lump and double screened sizes on orders from retail dealers in the States of Michigan and Ohio or on orders for vessel fuel use.

(c) After obtaining clearance from the area distribution manager, producers shall ship unbilled coal frozen at mines in District 2 in lump and double screened sizes on orders from retail dealers, or on orders for bunker fuel use or for railroad fuel use.

(d) Producers may obtain the clearance referred to in paragraphs (b) and (c) of this section by securing the oral permission of the area distribution manager to ship coal to a specified consignee for a specified use permitted by this section. The oral permission shall be confirmed in writing by the area distribution manager who, before granting such oral permission, may consult with the appropriate Bituminous Coal Producers Advisory Board.

§ 602.153 *Endorsement required on billings covering unbilled frozen coal.* The unbilled coal frozen at mines permitted and required to be shipped by section 2 of this regulation may not be shipped by any producer unless the billing covering such coal shall be endorsed "No-bill coal, authority I. C. C. Service Order No. 120-F."

§ 602.154 *Violations.* Any person who wilfully violates any provision of this regulation is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

<sup>1</sup> 8 F.R. 5832, 13701.

§ 602.155 *Communications*. All communications regarding this regulation should be addressed to the Solid Fuels Administrator for War, Washington, D. C.

This regulation shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 4th day of November 1943.

HAROLD L. ICKES,  
Solid Fuels Administrator for War.

[F. R. Doc. 43-17966; Filed, November 5, 1943; 3:21 p. m.]

[Reg. 6, Amdt. 2]

PART 602—GENERAL ORDERS AND DIRECTIVES

RESTRICTIONS UPON ANTHRACITE DELIVERIES BY RETAIL DEALERS

It is necessary to amend Solid Fuels Administration for War Regulation No. 6 in order to prevent the imposition of undue distribution difficulties upon retail dealers of anthracite coal who serve as a source of supply for larger consumers of anthracite. Accordingly, pursuant to powers conferred by Executive Order No. 9332, Solid Fuels Administration for War Regulation No. 6 is hereby amended as follows.

1. Section 602.102 (b) is amended to read as follows:

§ 602.102 *Restrictions upon anthracite deliveries by retail dealers*. (b) A retail dealer may deliver anthracite coal up to but not in excess of one ton to any household consumer if such consumer has less than a ten days' supply. A retail dealer may deliver anthracite coal in any quantity to other than household consumers provided that the tonnage delivered, when added to the inventory on hand, does not exceed a ten days' supply.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 6th day of November 1943.

MICHAEL W. STRAUS,  
Acting Solid Fuels  
Administrator for War.

[F. R. Doc. 43-18022; Filed, November 8, 1943; 9:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3133—PRINTING AND PUBLISHING  
[Limitation Order L-240 as Amended Nov. 3, 1943]<sup>1</sup>

NEWSPAPERS

§ 3133.6 *Limitation Order L-240*—(a) *Definitions*. For the purpose of this order:

(1) "Newspaper" shall include any publication usually recognized as a newspaper in the newspaper industry regardless of the frequency of issuance.

(2) "Printing" means the act or process of impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(3) "Publisher" shall include, but not by way of limitation, any person issuing a newspaper.

(4) "Print paper" means any grade or quality of paper used in the printing of a newspaper, or used in the printing of material physically incorporated into a newspaper.

(5) "Net paid circulation" means the sales of a publisher's newspapers audited, or otherwise verified, in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(b) *General restrictions*. (1) No publisher, and no person for the account of any publisher, shall purchase, acquire or in any manner order or accept delivery of print paper except for the printing of the publisher's newspapers.

(2) In each calendar quarter commencing October 1, 1943, no publisher shall use or cause to be used for his account print paper for the publication of his newspapers in excess of his quarterly quota, which shall be determined as follows:

(i) Ascertain the weight of print paper comprising the net paid circulation of the publisher's newspapers during the corresponding calendar quarter of 1941.

(ii) Add 3% to compensate for production waste.

(iii) If this figure is 500 tons or more, deduct 10%; if it is less than 500 tons, deduct 10% of the amount in excess of 25 tons.

(3) If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, he may increase his consumption and his inventory by that amount in the first quarter of 1944.

(c) *Exceptions*. The provisions of paragraph (b) (1) and (2) hereof shall not apply to:

(1) Any newspaper which shall use 25 tons or less of print paper in any calendar quarter. The publisher of any such newspaper is authorized, in addition, to deduct from the tonnage of print paper used by him in any calendar quarter the amount of print paper used in copies of the said newspaper which he shall furnish to the armed services of the United States.

<sup>1</sup>This document is a restatement of Amendment 1 to Limitation Order L-240 which appeared in the FEDERAL REGISTER of November 5, 1943, page 15241, and reflects the order in its completed form as of November 3, 1943.

(2) Any newspaper of eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229), pertaining to the publications of benevolent, fraternal, tradesunion, professional, literary, historical, and scientific organizations or societies.

(d) *Restrictions on deliveries*. (1) On and after November 1, 1943 no publisher, unless specifically authorized by the War Production Board, may order or accept delivery of print paper in any calendar month in excess of 33 1/3% of his quota for the consumption of print paper (plus 33 1/3% of any additional tonnage allowed on appeal) for the current calendar quarter: *Provided, however*, That orders or deliveries limited by the foregoing to a fraction of one carload may be increased to one full carload in any month.

(2) Notwithstanding the provisions of paragraph (d) (1), on and after November 1, 1943 no publisher, unless specifically authorized by the War Production Board, may order or accept delivery of print paper if his inventory of such paper on hand, available for use, or in transit is, or by virtue of such order or acceptance will become, either:

(i) In excess of two carloads or  
(ii) If in excess of two carloads, more than forty days' supply in the states named in List A below or sixty-five days' supply in the states named in List B below, computed on the basis of his average daily rate of consumption during the first six months of 1943, less 10 per cent.

LIST A	LIST B
Connecticut	Alabama
District of Columbia	Arizona
Delaware	Arkansas
Illinois	California
Indiana	Colorado
Iowa	Florida
Kansas	Georgia
Kentucky	Idaho
Maine	Louisiana
Maryland	Montana
Massachusetts	Mississippi
Michigan	New Mexico
Minnesota	Nevada
Missouri	North Carolina
Nebraska	Oklahoma
New Hampshire	Oregon
New Jersey	South Carolina
New York	Tennessee
North Dakota	Texas
Ohio	Utah
Pennsylvania	Washington
Rhode Island	Wyoming
South Dakota	
Vermont	
Virginia	
West Virginia	
Wisconsin	

(iii) On and after November 3, 1943, each order by a publisher for delivery of print paper shall contain substantially the following certification, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that acceptance of the print paper covered by this delivery order will not result in a violation of paragraph (d) of War Production Board Order L-240, as amended November 3, 1943, with which the undersigned is familiar.

No person shall deliver print paper to a publisher except upon delivery orders which bear the above certification.

(3) The foregoing restrictions apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(e) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported by addressing a letter in triplicate to the War Production Board on or before the 30th day following the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in duplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(3) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref.: L-240.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

INTERPRETATION 1  
PRINT PAPER

"Print paper", as used in this order, includes paper reclaimed wholly or partly from white or printed waste, as well as new paper made from virgin fibers. (Issued July 24, 1943)

INTERPRETATION 2  
NEWSPAPERS

Paragraph (d) (1) of Order L-240 (§ 3133.6) restricts the tonnage of print paper which

a publisher may accept in any month. If this amount works out to a whole number of carloads plus a fraction of another carload, a publisher may carry the fraction over into the next month. Thus, if a publisher's quarterly quota of print paper would fill 25½ freight cars, he would be permitted to accept 8½ carloads per month. However, if he accepts only 8 carloads in the first month he may accept 9 in the next month. (Issued Aug. 17, 1943)

INTERPRETATION 3

Paragraph (d) (2) of Order L-240 (§ 3133.6) limits the inventory of print paper which a publisher may carry. As used in this paragraph, "inventory" includes paper on hand, available for use, and in transit. If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may accept delivery of additional paper to replace that which he was unable to use. This will not constitute a violation of paragraph (d) (2). (Issued Aug. 25, 1943)

[F. R. Doc. 43-17997; Filed, November 6, 1943; 11:23 a. m.]

PART 3270—CONTAINERS

[Interpretation 1 of Limitation Order L-317]  
FIBRE SHIPPING CONTAINERS; MANUFACTURE AND USE

The following interpretation is issued with respect to Limitation Order L-317:

The restrictions of L-317 (§ 3270.6) are applicable only to new fibre shipping containers. A question has arisen as to the status of such containers which have been rejected during the course of manufacture or upon delivery because of errors in size, printing, etc. Such containers are new containers and subject to the restrictions contained in the order until they have been used for the packing of a product.

Issued this 6th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17998; Filed, November 6, 1943; 11:23 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT<sup>1</sup>

[Preference Rating Order P-84 as Amended Nov. 6, 1943]

PLUMBING AND HEATING EMERGENCY REPAIRS  
§ 3288.1<sup>1</sup> *Preference Rating Order No. P-84—(a) Definitions.* For the purpose of this order:

(1) "Plumbing equipment" means any fixture, material, device or apparatus, including component parts thereof, used as a unit or included in a system designed for the supply of water for drinking or sanitary purposes, for heating or storage of domestic hot water, or for removal of waste water or water-borne wastes, and the gases therefrom, including water, gas and sewer piping, or designed for the chemical treatment of waste matter. It does not include equipment operated for general use as a public utility, equipment designed for industrial processing, or fire protection systems, or for use in aircraft, railroad vehicles or ships, or equipment using electricity as a fuel.

<sup>1</sup> Formerly Part 1022, § 1022.1.

(2) "Heating equipment" means any material, device or apparatus, including component parts thereof, used as a unit or included in a system designed for generating, conveying, circulating, distributing, transferring, or controlling heat, and designed for, but not necessarily limited to, heating air spaces or controlling temperature within buildings or other structures, excluding ships. It shall also include electrical heat controls.

It shall not include critical heat exchangers as defined in L-172, fans and blowers as defined in L-280, equipment designed primarily for refrigeration or dehumidification as defined in L-38, steel power boilers of the types defined in L-117, steel boilers designed for locomotive or for marine shipboard use, equipment exterior to a building which is heated by steam or hot water distributed from a central source for general use as a public utility, equipment designed for industrial processing, equipment for generating power, equipment using electricity as a fuel, or equipment designed for heating aircraft or automotive or railroad vehicles, but it shall include trailer and caboose stoves.

(3) "Domestic cooking appliances" means gas ranges, cooking stoves, and hot plates for household use; coal and wood ranges and cooking stoves (including laundry stoves except jacketed and built-in coil types) for household use; kerosene, fuel oil, and gasoline ranges, cooking stoves, table stoves, and hot plates for household use; combination ranges (including kitchen heater and bungalow types), except electric, for household use; camp and trailer stoves for cooking purposes; fuel oil conversion range burners; drum ovens, and portable ovens.

(4) "Commercial cooking and food and plate warming equipment" means equipment using coal, wood, oil, gas or other non-electric fuel, or equipment attached to any steam or hot water system, designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It includes, but is not limited to, such items as bakers, broilers, fryers, griddles, grills, hot plates, ovens (except built-in types), ranges, roasters, steamers, toasters, urns and warmers, but does not include appliances for household use.

(5) "Commercial dishwasher" means any device designed for washing dishes, cutlery, glassware and kitchen utensils in establishments where food is prepared for consumption or sale on the premises; provided, that "commercial dishwasher" does not include any dishwasher for domestic or household use.

(6) "Consumer" means any person who purchases for use but not for resale any material, equipment or parts included in the definitions (a) (1) through (a) (5) above.

(7) "Repair item" means any equipment or component part thereof included in the definitions (a) (1) through (a) (5) above, except the equipment shown on Lists A and B; however, it does include component parts of this equipment shown on Lists A and B.

(8) "Conversion part" means any component part, other than a stoker, required to convert oil-burning or gas-burning equipment to solid-fuel burning equipment.

(9) "Seller" means any person who:

(i) Sells repair items and conversion parts to a consumer;

(ii) Has the contract to sell to and/or install repair items and conversion parts for a consumer.

(b) Restrictions on use of preference ratings. (1) The rating assigned by paragraph (c) (1) is to be used only to obtain materials, equipment, or parts needed in replacements of equipment worn out, damaged beyond repair, or destroyed, or to repair such equipment because of an actual breakdown, or for conversion parts. They may not be used to replace useable equipment or to make a substitution which would provide more extensive facilities than are necessary to replace the equipment, part or parts worn out, damaged or destroyed. The ratings assigned may not be applied to obtain any equipment shown on List A contrary to any ration order of the OPA or any equipment on List B.

(2) The preference rating herein assigned shall not be applied by any person to deliveries of repair and maintenance items to which deliveries any other order or regulation (such as CMP Regulation 5 or 5A) has assigned a preference rating, except that CMP Regulation 5 may not be used to obtain plumbing equipment or heating equipment by any business not specified in Schedule I or Schedule II of that Regulation and any such business may obtain plumbing and heating repair items in accordance with the terms of this order.

(c) Assignment of preference ratings.

(1) A preference rating of AA-5 is assigned to orders of sellers and consumers for repair items and conversion parts. However, no rating is assigned to the delivery of any repair items, the cost of which to the purchaser is not more than \$5.00, but any person making such a delivery to a seller may apply a rating of AA-5 to replenish his inventory.

(2) An order for a stove is the same as an order rated AA-5, if supported by a certificate on Form OPA R-901, and needs no endorsement or certification except that required on the OPA Form for the rating to be validly applied and extended.

(3) Sellers may obtain steel and wrought iron pipe and steel sheets for repairs in accordance with the provisions of CMP Regulation 4. Their inventories of these materials are subject to CMP Regulation 2.

(d) Method of applying preference ratings. (1) Before the seller applies the AA-5 preference rating for repair items or conversion parts he shall secure from the consumer a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7 by the consumer:

I hereby certify that the items included in this purchase are needed by me to replace equipment worn out, damaged beyond repair or destroyed, or to repair such equipment because of an actual breakdown or for conversion purposes. I further certify that the use of the repair items will not provide more extensive facilities than now exist.

Address of installation.....  
Consumer's signature.....  
Address.....

Such certification shall constitute a representation to the War Production Board as well as to the seller of the facts certified therein.

No person shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall make a false statement in the certification specified above.

Any seller may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(2) The seller shall retain this certificate in his files for a period of two years open to inspection by duly authorized representatives of the War Production Board.

(e) Salvage. No person may install material obtained by a rating assigned by this order, except conversion parts, unless he takes any replaced metallic parts or equipment, not coated with a fused or nonmetallic surface, and arranges for its further use, or turns it in for salvage to any authorized scrap metal dealer, within thirty days after the replacement.

(f) Extension of old ratings. In the case of ratings assigned or applied under this order prior to its amendment August 21, 1943, deliveries may be re-rated in accordance with the provisions of Priorities Regulation No. 12.

(g) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(h) Violations. Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) Communications. All communications concerning this order shall be addressed as follows: Plumbing and Heating Division, War Production Board, Washington 25, D. C., Ref: P-84.

Issued this 6th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A—RATIONED EQUIPMENT

The following items are subject to rationing by the Office of Price Administration. However, since the Office of Price Administration is free to change its rationing regulations, within the limits of Directives 1 and 18, the applicable Office of Price Administration rationing regulations or the local War Rationing Board must be consulted if authoritative information is desired as to what items are under rationing control at any particular time.

Coal and wood heating stoves.  
Oil heating stoves (including those using kerosene or gasoline as a fuel).  
Gas heating stoves and heaters.  
Coal and wood cooking stoves and ranges.  
Oil cooking stoves and ranges (including those using kerosene or gasoline as fuel).  
Gas cooking stoves and heaters.  
Combination ranges (except those using electricity as one of the fuels).  
Bungalow ranges (except those using electricity as one of the fuels).  
Coal or wood laundry stoves (except those having a built-in water jacket or coils).  
Conversion burners (to convert coal or wood ranges to use of kerosene or oil).  
Kitchen heater ranges.  
Oil table stoves.

#### LIST B—COMMERCIAL COOKING EQUIPMENT AND COMMERCIAL DISHWASHERS

For the following equipment use Form PD-638-A. Mail to the War Production Board, Washington 25, D. C.

Bain Maries.  
Bake ovens.  
Barbecue machines.  
Broilers.  
Broiler griddles.  
Broiler roasters.  
Cake bakers.  
Chicken singers.  
Chop suey ranges.  
Urns.  
Confectioners stoves.  
Cup warmers.  
Deep fat fryers (all types).  
Dish warmers.  
Egg boilers.  
Food warmers.  
Grilles.  
Griddles.  
Hot plates.  
Nut blancher ovens.  
Hotel ranges.  
Restaurant ranges.  
Nut roasters.  
Oven steamers.  
Oyster stoves.  
Peanut roasters.  
Plate warmers.  
Pop corn machines.  
French broilers.  
Roll warmers.  
Rotisseries.  
Salamanders.  
Sausage warmers.  
Short order ranges.  
Steam cookers.  
Steam jacketed kettles.  
Steam tables.  
Toasters.  
Urn burners.  
Vegetable steamers.  
Waffle irons.  
Warming ovens.  
Field ranges.  
Marine ranges.  
Broiler toaster griddle combinations.  
Sterilizer for dishes.  
Cereal cookers, steam.  
Cabinet type bake ovens.

Roasting ovens.  
Section bake ovens.  
Commercial dishwashers.  
Glasswashers.

**AUTOMATIC FUEL BURNING EQUIPMENT**

For the following equipment use Form PD-668. Mail to the local Field Office of the War Production Board.

Stokers, Coal — Capacity 36 sq. ft. grate area and less.

[F. R. Doc. 43-17995; Filed, November 6, 1943; 11:23 a. m.]

**PART 1112—OFFICE MACHINERY**

[Interpretation 2 of General Limitation Order L-54-c, as Amended]

This official interpretation of § 1112.4 General Limitation Order L-54-c is issued by the War Production Board for the purpose of eliminating current uncertainty about the effect of Interpretation No. 6 of Priorities Regulation No. 3 upon Order L-54-c:

(1) An authorization to deliver restricted office machinery, issued on Form WPB-1688 or on Form WPB-2798, is not a preference rating certificate within the meaning of Interpretation No. 6 of Priorities Regulation No. 3. Accordingly, that interpretation is inapplicable to such authorizations.

(2) If permission to deliver office machinery is granted on Form WPB-2798 or on Form WPB-1688, the only person to whom the supplier may deliver the machinery is the applicant named in the form. Moreover, the supplier named in the form is the only manufacturer or dealer who is authorized to deliver the machinery to the applicant. However, other manufacturers and dealers may deliver the machinery described in the form to the supplier named in the form pursuant to paragraph (c) (4) (i) of Order L-54-c.

(3) Form WPB-1688 requires the applicant to state the "name of manufacturer" of the machinery to be delivered. This is an essential part of the description of the machinery which the War Production Board authorizes the supplier to deliver pursuant to paragraph (c) (1) of Order L-54-c. The supplier may not deliver to the applicant machinery produced by another manufacturer, even though his product is similar to the machinery produced by the manufacturer named in the form WPB-1688 approved by the War Production Board.

Issued this 8th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-18062; Filed, November 8, 1943; 11:21 a. m.]

**PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT**

[Limitation Order L-322]

**JACKS, MECHANICAL, HYDRAULIC, AIR AND ELECTRICALLY OPERATED**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials entering into the production of mechanical, hydraulic, air and electrically operated jacks for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.116 Limitation Order L-322—  
(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of mechanical, hydraulic, air or electrically operated jacks.

(3) "Jack" means any lifting, supporting, pulling, pushing, or bending device listed in Schedules A and B to this order.

(4) "Non-military production" means any mechanical, hydraulic, air or electrically operated jacks produced or assembled except under contracts or orders for delivery to the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(b) *Restriction on production.* On and after November 15, 1943, no producer shall manufacture or assemble any jack except of a model, size, and capacity listed in Schedules A and B of this order.

(c) *Restriction on distribution.* Notwithstanding the provisions of Priorities Regulation Number 1, commencing with the month of November, 1943, and each month thereafter, each producer shall retain, for delivery against orders rated on Form WPB-547, a minimum of twenty-five (25) percent of the number of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks manufactured or assembled by him in non-military production.

(1) In the event that in any month a producer's orders rated on Form WPB-547, do not equal twenty-five (25) percent of his non-military production of 3, 5, 8, 12, and 20-ton capacity hydraulic

self-contained (hand operated) jacks, he may deliver the balance of his non-military production, not covered by such orders, against other orders.

(d) *Restriction on sales.* On and after November 15, 1943, no producer shall sell, transfer, or deliver, to any person any jacks listed in Schedule A or B to this order, except pursuant to orders bearing preference ratings of AA-5 or higher. The provisions of this paragraph (d) shall not apply to repair parts for mechanical, hydraulic, air or electrically operated jacks.

(e) *Exceptions to applicability of this order.* The terms and restrictions of paragraph (b) of this order shall not apply, until February 1, 1944, to jacks produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB-1477 in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, stating therein the information called for.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, except as stipulated in paragraph (c).

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., reference: L-322.

Issued this 8th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

**SCHEDULE A**

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications	Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
I. Ratchet lever automatic lowering jacks (rigid base).	5 10 15 20	1 1 1 1	2 1 2 1	14" to 21", 21" to 22", 22" to 28", 28" to 30", 22" to 23".	V. Cable reel screw jacks.	-----	2	6	15" to 20" x 1 3/4", 2" cr 2 1/2" screw.
II. Ratchet lever automatic lowering jacks (hinged base).	15	1	1	22" to 23".	VI. Telescope screw jacks.	3 5 8 10 12 20 25 3	1 1 1 1 1 1 1 1	1 1 1 1 1 1 1 1	7" to 11", 7" to 13", 8" to 11", 10" to 14", 8" to 13", 9 1/2" to 27", 20" to 22", 4" to 6".
III. Ratchet lever automatic lowering pole jacks.	5 15	1 1	1 1	28" to 50", 37" to 38",	VII. Telescope scissors screw jacks—mechanical.	3	1	1	4" to 6".
IV. Ratchet lever automatic lowering cable reel jacks.	5 10	1 2	1 2	20" to 21", 24 1/4" to 40".	VIII. Track or trip jacks single acting.	15	1	4	10 1/2" to 19".

SCHEDULE A—Continued

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications	Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
IX. Track or trip jacks double acting.	15	1	2	22" to 31".	XVII. Bell bottom jack screws ratchet head.	-----	1	12	1 3/4" screw x 10"-12"-14", 2" screw x 10"-12"-14"-16", 2 1/2" screw x 10"-12"-14"-16"-18".
X. Combination trip and automatic lowering jacks.	15	1	1	22" to 23".	XVIII. Shoring or house raising jack screws.	-----	1	6	2" screw x 10"-12"-14"-16", 2 1/2" screw x 12"-16"-18"-20".
XI. Geared automatic lowering jacks.	25	1	1	27" to 28".	XIX. Hydraulic self contained jacks (hand operated).	3	1	2	7" to 11".
XII. Journal jack (standard speed).	35	1	1	27" to 28".		5	1	2	7" to 13".
	50	1	1	27" to 28".		8	1	2	8" to 11".
	15	1	1	10".		12	1	2	8" to 13".
	25	1	1	10".		20	2	2	7 1/2" to 22".
	35	1	1	10".		25 or 30	2	2	7 1/2" to 18".
	50	1	1	10" to 17".		1 1/2	1	1	
XIII. Jacks on traversing bases (complete units).	10	1	1		XX. Wheel type service or shop jacks—hydraulic or mechanical (only as permitted in Limitation Order L-270).	4	1	1	
	25	1	1			10	1	1	
	35	1	1	14".	XXI. Transmission jacks only as permitted in Limitation Order L-270.	1/4 ton or over	1	1	
XIV. Standard speed bevel gear screw jacks.	10	1	1	14" & 22".	XXII. Power jacks (air and/or electric operated).	20	1	1	28".
	15	2	2	14" & 22".		50	1	2	28" and 30".
	25	2	2	20" & 28".		100	1	2	28" and 44".
	35	2	2	22" & 27".	XXIII. Hydraulic self-contained heavy duty jacks (hand operated).	10	2	1	22" to 27".
	50	2	2	16" & 27".		15	2	2	25" to 33".
	75	1	1	24" or 27".		20	2	1	22" to 27".
XV. Self lowering bevel gear screw jacks.	20	1	1	28".		25 or 30	3	1	20" to 30".
	25	2	2	26" & 28".		50 or 60	2	1	11" to 30".
	35	2	4	22" & 30".		100	2	1	11" to 30".
	50	2	4	20" & 36".		125	2	1	20" to 30".
	75	1	1	26".		150	2	1	20" to 30".
	100	1	1	26".					
XVI. Bell bottom jack screws four way head.	-----	1	19	1" screw x 6", 1 1/4" screw x 6"-8"-10", 1 1/2" screw x 8"-10"-12", 1 3/4" screw x 10"-12"-14", 2" screw x 10"-12"-14"-16", 2 1/2" screw x 10"-12"-14"-16"-18".					

SCHEDULE B

The following types and models of mechanical and hydraulic jacks have not been simplified and may be produced by manufacturers, unless they are prohibited by other orders of the War Production Board:

- Aircraft jacks, wing, tail, nose, bomber, tripod, testing, turret.
- Push-pull jacks
- Steamboat jacks
- Adjustable mine roof jacks
- Mine timber jacks
- Mine post puller jacks
- Anchor or hold down jacks
- Cable and wire extension jacks
- Pipe pulling and pushing jacks
- Pull rod jacks
- Planer or machinists jacks
- Oil Well circle jacks
- Suspension type journal jacks
- Independent pumps and rams
- Under aircraft jacks
- Aircraft axle jacks
- Float bridge jacks
- Bolt pulling jacks
- Pipe bending jacks
- Rail bending jacks
- Hydraulic jenny puller jacks
- Hydraulic or mechanical pit jacks (five-ton or over)

Jacks: designed as an integral part of special military equipment, vehicle or vessel, or for specific uses in connection with military equipment, vehicle or vessel, or as a component part of a product and included in the sales price of that product as original equipment.

[F. R. Doc. 43-18063; Filed, November 8, 1943; 11:21 a. m.]

Subchapter C—Director, Office of War Utilities  
PART 4500—POWER; WATER, GAS, AND CENTRAL STEAM HEAT

[Limitation Order L-102, as Amended Nov. 6, 1943]

USED ELECTRIC GENERATING EQUIPMENT

General Limitation Order L-102 is hereby amended to read as follows:

§ 4500.27 *General Limitation Order L-102*—(a) *Prohibition of transactions in used electric generating equipment.* Regardless of any preference rating, no person shall sell, lease, option, or transfer, and no person shall purchase, acquire by lease, take an option on or make a transfer of any used electric generating equipment having a rated capacity of 1500 KW or more without specific approval in advance from the War Production Board. Such specific approval may be requested by letter signed both by the present owner and by the person who will be the ultimate user, explaining the war necessity for the transfer and addressed to the War Production Board, Power Division, Washington 25, D. C., Ref.: L-102. This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(b) *Definitions.* "Used electric generating equipment" means any used or reconditioned stationary steam-turbine generator unit.

(c) *Records and reports.* Every person who has any used electric generating equipment shall keep and preserve for not less than two years thereafter

accurate and complete records of all sales, leases, options or transfers of such equipment made by him. Such records shall be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(d) *Communications.* All communications concerning this order shall be addressed to War Production Board, Power Division, Washington 25, D. C., Ref.: L-102.

(e) *Violations.* Any person who willfully violates any provision of this order or who wilfully furnishes false information to any department or agency of the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(Sec. 2 (a), 54 Stat. 676; as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 6th day of November 1943.  
WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17996; Filed, November 6, 1943; 11:23 a. m.]

## Chapter XI—Office of Price Administration

## PART 1337—RAYON

[MPR 168, Amdt. 4]

## CONVERTED YARN AND CONVERTING CHARGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1337.56 (c) is amended to read as follows:

(c) On or before the 10th day of each month every person performing a converting operation for which maximum prices are established by Table XXI of paragraph (a) of § 1337.62 shall file a report with the Office of Price Administration in the detail required by Form No. 268:1 for each type of conversion operation which has not been previously reported.

This Amendment No. 4 shall become effective November 11, 1943.

NOTE: The reporting requirements in this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17975; Filed, November 5, 1943;  
4:51 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 442,<sup>1</sup> Amdt. 2]

## PEANUT OIL MEAL, CAKE, SIZED CAKE, PELLETS AND PEANUT HULLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 5 (a) is amended to read as follows:

(a) The maximum price for the sale and delivery by a processor of domestic peanut oil meal, cake, sized cake or pellets produced from peanuts of the 1942 crop which he owned or had contracted to purchase on or prior to July 31, 1943, per ton, in carload lots or pool car lots, bulk, 45 percent up to 47 percent of protein at production plant, shall be \$2.00 per ton above the minimum trade prices specified in section 1 of the Crusher (Processor) Contract, 1942 Peanut Crushing Program, of the Commodity Credit Corporation.

This amendment shall become effective November 11, 1943.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 10736.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17969; Filed, November 5, 1943;  
4:49 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 443,<sup>1</sup> Amdt. 2]

## SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 5 (a) (3) is amended to read as follows:

(3) \$1.50 per ton more than the maximum price specified in subparagraph (2) of this paragraph (a) for soybean oil pellets processed at a plant with respect to which the processor executed the Processor Contract—Pacific States, 1942 Soybean Program of the Commodity Credit Corporation.

This amendment shall become effective November 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17970; Filed, November 5, 1943;  
4:49 p. m.]

## PART 1381—SOFTWOOD LUMBER

[MPR 164,<sup>2</sup> Amdt. 7]

## RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1381.4 (c) is amended to read as follows:

(c) It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating red cedar shingles or for any related service such as "expediting") which does not involve actual physical handling of the shingles, if the commission plus the purchase price results in a total payment by the buyer of shingles which is higher than the maximum price for the shingles established by this regulation. For the purposes of this regulation, a commission is any compensation, however designated, which is paid for the procurement of red cedar shingles. This prohibition has no appli-

<sup>1</sup> 8 F.R. 10759, 11740.

<sup>2</sup> 7 F.R. 4541, 8384, 8948; 8 F.R. 2876, 2992, 4514, 12296.

cation to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as procurement of shingles is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the shingles in connection with which the service is rendered.

This amendment shall become effective November 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17971; Filed, November 5, 1943;  
4:49 p. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,<sup>1</sup> Amdt. 99]

## SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respect:

Section 1407.86 (h) is added to read as follows:

(h) A registering unit is entitled to receive an increase in its allotment for the period beginning November 1, 1943, in an amount equal to ten per cent of its sugar base for the months of November and December 1943. However, no such increase in allotment may be computed on the part of a registering unit's base shown on OPA Form R-310, Schedule I, line h. Application for such increases in allotment shall be made to the board on OPA Form R-315 and may be made at any time from November 10 to December 31, 1943, inclusive.

This amendment shall become effective November 10, 1943.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17976; Filed, November 5, 1943;  
4:50 p. m.]

## PART 1412—SOLVENTS

[MPR 37,<sup>2</sup> Amdt. 10]

## BUTYL ALCOHOL AND ESTERS THEREOF

A statement of the considerations involved in the issuance of this amend-

<sup>1</sup> 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 8351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10512, 12026, 12181, 12296, 12484, 12560, 12693, 13341, 13390, 13394, 14010, 14138.

<sup>2</sup> 7 F.R. 6657, 7001, 7910, 8941, 8948; 8 F.R. 6046, 8874, 9884, 10672, 11686, 13721.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1412.118 is added to read as follows:

§ 1412.118 Appendix C: Maximum prices for dibutyl sebacate—(a) Base maximum prices for dibutyl sebacate.

These maximum prices are per pound, f. o. b. works, for sales by a producer:

Tank cars.....	\$ .495
Drum carloads (drums included).....	.505
Drums 1 c. l. (10 or more drums, drums included).....	.51
Drums 1 c. l. (1 to 9 drums, drums included).....	.52
1-5 gallon cans (container included).....	.57

(b) Differentials for fluctuations in average cost per pound of butyl alcohol. For every increase or decrease of \$.01 per pound in the computed average cost of butyl alcohol delivered at the works from a base average cost of \$.15 per pound, the maximum prices for dibutyl sebacate set forth in paragraph (a) above shall be increased or decreased, as the case may be, by \$.0055 per pound.

(c) Method of computation of average cost of the butyl alcohol and reporting. The computed average cost of butyl alcohol of each seller of dibutyl sebacate for each monthly period beginning with November 10, 1943 and ending on the ninth day of the succeeding month, shall be the average delivered cost of the butyl alcohol inventory on hand at the beginning of the current calendar month and the butyl alcohol allocated at the beginning of that month by the War Production Board for delivery to him during the month. In the case of a producer who produces butyl alcohol, his own butyl alcohol shall be included in the computation at the maximum tank car price for the current calendar month as determined by him under Appendix A of this regulation. On or before the fifteenth day of each current calendar month, each seller of dibutyl sebacate making sales for which maximum prices are established by this section shall report to the Office of Price Administration his maximum prices for dibutyl sebacate for each period, and a detailed statement of his computed average cost for butyl alcohol delivered to his plant, showing the sources of supply, the amounts, and the prices of the butyl alcohol allocated to him during that current calendar month by the War Production Board.

This amendment shall become effective November 10, 1943.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17977; Filed, November 5, 1943; 4:51 p. m.]

\*Copies may be obtained from the Office of Price Administration.

PART 1418—TERRITORIES AND POSSESSIONS  
[Rev. MPR 183, Amdt. 12]

TOYS AND GAMES IN PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 55 is added to read as follows:

Sec. 55. Maximum retail prices for toys and games. The maximum retail price for toys and games sold or delivered in the Territory of Puerto Rico shall be computed as follows:

(a) On imported toys and games the direct cost to the importer, as defined in section 17 (a) (4) may be multiplied by 1.75.

(b) On toys and games manufactured in the Territory of Puerto Rico the price charged by the manufacturer, which in no event may exceed the maximum price established by any applicable price regulation or order, may be multiplied by 1.75.

This amendment shall become effective November 11, 1943.

(56 Stat. 23, 756; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17973; Filed, November 5, 1943; 4:50 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[MPR 373, Amdt. 22]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 373 is amended in the following respects:

1. Sections 31 (b) (c) (d) and (e) are amended and (f) is added to read as follows:

(b) The maximum price for blacking out the headlights on a motor vehicle in accordance with the specifications of Part 3 of General Orders No. 3 as amended by General Orders No. 36 of the Military Governor of the Territory of Hawaii, shall be \$5.00 when such service is guaranteed in the manner provided in paragraph (e) below.

(c) The maximum price for changing the blackout on the headlights of a motor vehicle, which blackout had originally been made in accordance with the specifications of Part 3 of said General Orders No. 3 prior to its amendment by said General Orders No. 36, to conform with

18 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 12632, 13165, 13847, 14090.

8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139.

the maximum specifications for light permitted by Part 3 of said General Orders 3 as amended by said General Orders No. 36 shall be \$2.00 when such service is guaranteed in the manner provided in paragraph (e) below. Such changing shall include any and all scraping and/or repainting of the headlight lenses which is necessary in order to make such headlights conform to said specifications. If such change requires that the hoods on the headlights be replaced by new shields an additional charge of \$1.50 may be made for each shield so replaced.

(d) The maximum price for blacking out the rear light or rear lights on a motor vehicle in accordance with the specifications of Part 3 of said General Orders 3 as amended by General Orders 36 shall be \$0.50 when such service is guaranteed in the manner provided in paragraph (e) below. Such maximum price shall apply for the blacking out of the total of all rear lights whether one or more than one and regardless of whether such rear light or lights have previously been blacked out.

(e) The maximum prices prescribed above apply only in the event that the person selling such service guarantees to the purchaser to do, without charge, all repair or alteration work necessary to make such blacking out conform to the said specifications for a period of thirty days from the time of completion. Such guarantee need not cover any repair or alteration work made necessary because of damage caused by collision or misuse. A more comprehensive guarantee than the one above may be given, but no extra charge may be made therefor.

(f) In the event that such guarantee is not given the maximum price for the services specified in paragraphs (b), (c) and (d) shall be 50% of the maximum prices above specified.

2. Sections 35 (b), (c) and (d) are added to read as follows:

(b) Allowance for record scrap. If the seller of new records requires the buyer to furnish record scrap in order to purchase new records he shall make an allowance to the purchaser for such record scrap at the following rates (where an amount to be allowed or paid includes a fraction of a cent, such amount shall be adjusted to the next higher cent):

(1) In the case of a sale by a retail seller not less than:

- (i) 2¢ for each 10" solid stock scrap record;
- (ii) 3¢ for each 12" solid stock scrap record;
- (iii) 1¢ for each 10" laminated scrap record;
- (iv) 1½¢ for each 12" laminated scrap record;
- (v) 4¢ per pound for broken record scrap in bulk.

(2) In the case of sales by wholesalers or distributors not more than:

- (i) 2½¢ for each 10" scrap record;
- (ii) 4¢ for each 12" scrap record;
- (iii) 6¢ per pound for record scrap in bulk.

(c) Maximum charge for securing scrap for buyer. If the seller of new

records, either at wholesale or at retail, requires the buyer to furnish record scrap in order to purchase new records, and the buyer is unable to furnish such record scrap, the seller may make a charge of not more than three cents for each new record sold, for securing for such buyer the required record scrap. In such case, no allowance for record scrap need be made by the seller to the buyer.

(d) *Evasion.* (1) The price limitations set forth herein shall not be evaded directly or indirectly.

(2) Specifically, but not exclusively, the sale of a new record to a buyer, in connection with the sale of another new record or records to the buyer, for use by the buyer in furnishing record scrap to the seller in connection with the sale of such other records, is prohibited.

(3) The seller of a new record or records may not require the buyer thereof to furnish scrap as a condition of sale except to the extent that the seller was required by his supplier to furnish scrap or to promise to furnish scrap in connection with the purchase of such record or records by the seller from his supplier.

This amendment shall become effective as follows:

(a) As to sections 31 (b), (c), (d) and (e) and (f) as of October 4, 1943.

(b) As to sections 35 (b), (c) and (d) as of October 19, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17972; Filed, November 5, 1943;  
4:50 p. m.]

#### PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 5-3, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CON-  
SUMPTION IN SAN ANTONIO AREA, TEX.

A statement of the considerations involved in the issuance of this Amendment No. 1 to Restaurant Maximum Price Regulation No. 5-3 has been issued simultaneously herewith and filed with the Division of the Federal Register.\* Restaurant Maximum Price Regulation No. 5-3 is amended in the following respects:

1. Paragraph (a) of section 9 is amended to read as follows:

SEC. 9. *Rules for new proprietors.*

(a) If you acquire another's business subsequent to the seven-day period and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor would have been had he continued to operate the business.

\*Copies may be obtained from the Office of Price Administration.

(1) If your acquisition was subsequent to the seven-day period but prior to the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. You may not, however, make such application after January 1, 1944.

(2) Prior to acquiring another's business after the effective date of this regulation, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section.

If you are granted permission to price under paragraph (b) of this section, it will be subject to such conditions as the Office of Price Administration deems necessary.

2. Section 18 is amended by adding new paragraphs (d), (e), (f) and (g) to read as follows:

(d) Eating and drinking places operated by a school, college, university or other educational institution or a students' fraternity or other students' organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial or business enterprise or undertaking.

(e) Eating and drinking places owned or operated by charitable, religious or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and

(1) The net profits, if any, are devoted to religious, charitable or cultural purposes generally recognized as such in the community where the food items and meals are served by such organization; or

(2) The food items and meals are served primarily on a non-profit basis to members of the Armed Forces.

(f) Eating cooperatives formed by officers in the Armed Forces (as for example, Officers' Mess) operated as a non-profit cooperative (where no part of the net earnings inures to the benefit of any individual), which sells food items or meals on a cost basis (or as near thereto as reasonable accounting methods will permit), and substantially all sales of which are made to officers who are members of the cooperative.

(g) Bona fide private clubs which file with the appropriate Office of Price Administration District Office a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than a mere nominal amount (the amount of dues paid by each class of members and the period covered by such dues should be indicated) and are elected to membership by a governing board, membership committee or other body; and

(4) It is otherwise operated as a club. Five days after filing such information, or earlier if so notified by the District

Director, a private club may consider itself exempt unless and until it is otherwise notified by the District Director. Any club which, subsequent to such filing, changes its operations with respect to any of the requirements stated above shall immediately notify its Office of Price Administration District Office accordingly. Any club which sells food items or meals to persons other than members and bona fide guests of members is subject to this regulation with respect to all sales.

3. Section 20, paragraph (d), is amended to read as follows:

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating or drinking without change in form or additional preparation. (Mere heating, cooling, seasoning or mixing with other food items does not constitute preparation.) It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

4. Section 23 is amended to read as follows:

SEC. 23. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

This amendment shall become effective October 25, 1943.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this the 18th day of October 1943.

FRANK M. COVERT, Jr.,  
District Director.

[F. R. Doc. 43-17979; Filed, November 5, 1943;  
4:52 p. m.]

#### PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 5-8]

FOOD AND DRINK SOLD FOR IMMEDIATE CON-  
SUMPTION IN ST. LOUIS DISTRICT, MO.

In the judgment of the District Director of the St. Louis District Office, the prices of food and beverages sold for immediate consumption in that portion of the State of Missouri, including and lying east of the Counties of Schuyler, Adair, Macon, Chariton, Howard, Cooper, Morgan, Camden, Laclede, Wright, Douglas, and Ozark, have risen

and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the act. So far as practicable, the District Director has given due consideration to prices prevailing between October 1 and 15, 1941, and has consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.\*

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living", 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the St. Louis District Office hereby issues this Restaurant Maximum Price Regulation No. 5-8, establishing as maximum prices for food and drink sold for immediate consumption in the portion of the State of Missouri mentioned above, the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.408 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the St. Louis District Office by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, General Order No. 50, issued by the Office of Price Administration, and an order issued by the Regional Administrator of Region V on April 13, 1943, delegating to the Director of the St. Louis District Office the authority conferred upon such Regional Administrator by General Order No. 50, Restaurant Maximum Price Regulation No. 5-8 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made part hereof, is issued.

AUTHORITY: § 1448.408 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION NO. 5-8—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. *How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.* Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. *How you figure ceiling prices for food items and meals you did not offer in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during the four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period, you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item

or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal.

"Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. *How you figure your price for seasonal items.* First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item: *Provided*, That in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. *No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.* Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943: *Provided*, That you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21 (a) Class 24a.

*Example 1.* If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

*Example 2.* You served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

SEC. 6. *Substitution of food items in meals.* If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without re-figuring your ceiling price: *Provided*, The new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. *Prohibition against manipulation of meal offering.* You must not ma-

\*Filed as part of the original document.

nipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

*Example.* If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

**Sec. 8. Evasion.** (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality, or reducing quantity without making a compensating reduction in price;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover charge or minimum charge in effect during the base period may be increased in accordance with your customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

*Example 1.* If you customarily offered fish on table d'hote dinners at \$1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at \$1.10.

*Example 2.* If you offered table d'hote dinners during the base period at 85¢ to \$1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to \$1.05, provid-

ing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one pat of butter per meal.

(2) You may reduce the quantity, or eliminate altogether, condiments (such as catsup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(3) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful except that less may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing sub-paragraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free and at the same time offer to furnish it for an additional charge.

**Sec. 9. Rules for new proprietors.** (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix your ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

**Sec. 10. Seasonal eating and drinking places—(a) Exempt places.** If you are the proprietor of a seasonal eating or drinking place that

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and the meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the District Director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under sub-paragraphs (1) or (2) above, you must apply for a price to the St. Louis District Office of the Office of Price Administration. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the St. Louis District Office prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

**Sec. 11. Taxes.** If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or prices of items or meals.

**Sec. 12. Records.** (a) You must observe all of the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business

hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly opened places) shall file menus or a price list in accordance with paragraph (a), except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning October 25, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration order, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection at \_\_\_\_\_.

NOTE: The ceiling price records must be available for inspection by your customers at a convenient and accessible location in your particular eating or drinking place. The name or description of the location where the ceiling price records may be found should be inserted in the blank space at the end of the statement.)

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a conspicuous place, preferably at or near the cash register a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately. Separate rooms or separate parts of a room in which you charged different prices in the seven-day period are separate eating or drinking places.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum

prices for meals and food items sold by eating and drinking places, except that this regulation shall not supersede the provisions of Maximum Price Regulation No. 259 (Domestic Malt Beverages).

However, a price charged for a food or beverage item during the base period of this regulation shall not become a maximum price under this regulation if it exceeded the maximum price established by another regulation applicable during the base period to sales of such food or beverage item.

SEC. 16. *Geographical application.* This Restaurant Maximum Price Regulation No. 5-8 applies to that portion of the State of Missouri including and lying east of the Counties of Schuyler, Adair, Macon, Chariton, Howard, Cooper, Morgan, Camden, Laclede, Wright, Douglas, and Ozark.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating or drinking places located on church premises and also any sales of food and beverages by churches, Sunday schools, and other religious organizations, unless such sales are made as a regular business.

(b) Hospitals, except for food items and meals served to persons other than patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales eating or drinking places within the meaning of this regulation. No club shall be considered to be exempt as a private club within the meaning of this paragraph unless its members pay dues (more than merely nominal in amount) and are elected to membership by a governing board, membership committee or other body, and unless it is otherwise operated as a private club.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with the St. Louis District Office of the Office of Price Administration, furnishing such information as may be required, and has received a communication from such office authorizing exemption as a private club.

(e) Eating and drinking places operated by any school, college or university which is a non-profit institution, that is, where no part of the net earnings inures to the benefit of any private individual, and which sells food items or

meals on a non-profit or cost basis or as near thereto as reasonable accounting methods will permit, and substantially all sales of which are made to students, faculty members and employees of such institutions. For the purpose of this section, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered as students.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to the St. Louis District Office of the Office of Price Administration a statement setting forth:

(1) Your name and address.  
(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,<sup>1</sup> and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

(7) Any other information requested by the St. Louis District Office.

Applications for adjustment under this section will be acted upon by the St. Louis District Office of the Office of Price Administration.

SEC. 20. *Definitions and explanations.* (a) "Person" means individual, cor-

<sup>1</sup> In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

poration, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

Sec. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 20.) (a) *The classes of food items.*

#### BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices.
2. Cereals.
3. Entrees: egg and combination egg dishes served at breakfast.
4. Entrees: meat and meat combination dishes served at breakfast.
5. Entrees: all other dishes served at breakfast.
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast.
7. All other breakfast dishes including jams, jellies and preserves.

#### OTHER ITEMS

8. Appetizers, except alcoholic cocktails.
9. Soups, including soups in jelly.
10. Beef: steaks and roasts.
11. Veal: steaks, chops and roasts.
12. Pork: loin chops, steaks and roasts.
13. Lamb or mutton: chops, roasts.
14. Poultry and fowl.
15. Fish and shell-fish.
16. Game.
17. Miscellaneous and variety meats, including liver and kidneys.
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.

19. Egg and cheese dishes and combinations thereof.
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes.
22. Salads (except as served as a main course or appetizer course in a meal).
23. Desserts: cakes, cookies, pies, pastries and other baked goods.
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts.
- 24a. Desserts: seasonal dessert specialties such as watermelon and cantaloupe.
25. Desserts: all others, including fruits, puddings and cheese.
26. Cold sandwiches, including garnishings, salads and vegetables.
27. Hot sandwiches, including garnishings, salads and vegetables.
28. All other food items served in a meal including mints and preserves.
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk.

#### BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters.
31. Wines, including sparkling wines.
32. Liquors, including whiskeys, gins and brandies, whether mixed with other ingredients or not, including alcoholic cocktails.
33. Cordials, including fruit liqueurs.
34. All other alcoholic beverages, except domestic malt beverages such as domestic beer and ale.

(b) *The classes of meals.* For the purpose of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

Sec. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum prices of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and No. 9328.

Sec. 23. *Licensing.* The provisions of Licensing Order 1 of the Office of Price Administration, licensing all persons who make sales under price control, shall apply to all persons whose maximum prices are regulated by this regulation.

Sec. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective October 25, 1943.

NOTE: The reporting and record keeping requirements of this Regulation have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of October 1943.

WILLIAM H. BRYAN,  
District Director.

[F. R. Doc. 43-17980; Filed, November 5, 1943; 4:51 p. m.]

#### PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Rev. Restaurant MPR 8-1]

#### FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN SAN FRANCISCO REGION

Restaurant Maximum Price Regulation No. 8-1 is redesignated as Revised Restaurant Maximum Price Regulation No. 8-1, and is revised and amended to read as follows:

In the judgment of the Regional Administrator of Region VIII, the prices of food and beverages sold for immediate consumption in California, Oregon, Washington, Arizona and parts of Idaho have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Regional Administrator of Region VIII, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act.

So far as practicable, the Regional Administrator of Region VIII gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living," 77th Congress, 2d Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the Regional Administrator of Region VIII hereby issues this Revised Restaurant Maximum Price Regulation No. 8-1 establishing as the maximum prices for food and drink sold for immediate consumption in California, Oregon, Washington, Arizona and parts of Idaho, the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.701 *Maximum prices for food and drink sold for immediate consumption.* For the reasons set forth in the statement of considerations issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region VIII by the Emer-

agency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, issued by the Office of Price Administration, Revised Restaurant Maximum Price Regulation No. 8-1 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.701 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Congress; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED RESTAURANT MAXIMUM PRICE REGULATION No. 8-1—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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**SECTION 1. Sales at higher than ceiling prices prohibited.** If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" or "meal" at a price higher than the applicable maximum price set by this regulation. You may, of course, sell at a price lower than the applicable maximum price.

**SEC. 2. How you figure ceiling prices for "food items" and "meals" you offered in the seven-day period from April 4, 1943, to April 10, 1943.** Your maximum price for any "food item" or "meal" which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

**SEC. 3. How you figure ceiling prices for food items and meals you did not sell or offer to sell in the period April 4, 1943, to April 10, 1943.** You must figure your ceiling price for a food item or meal which you did not offer in the seven-day period as follows:

(a) Choose from the food items or meals for which a ceiling price has already been fixed the food item or meal

which is most similar to the food item or meal you are pricing; and

(b) Figure a price which is "in line" with the price of that most similar food item or meal. A price is "in line" if the customer receives as much value for his money from the one item or meal as from the other, even though the two prices may be different. In comparing values, quality, sizes of portions, and the margin over food cost are the things that count; or

(c) If you prefer, take as your ceiling price the last price at which you offered the same food item or meal for sale before the seven-day period.

(d) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided for in this regulation.

**SEC. 4. Classes of food items and meals—(a) The classes of food items.**

BREAKFAST ITEMS

- (1) Fruits and fruit juices.
- (2) Cereals.
- (3) Egg and combination egg dishes served at breakfast.
- (4) Breads, rolls, toast, etc., served at breakfast.
- (5) All other breakfast dishes.

OTHER ITEMS

- (6) Appetizers and cocktails.
- (7) Soups.
- (8) Beef.
- (9) Lamb and mutton.
- (10) Pork.
- (11) Veal.
- (12) Poultry.
- (13) Fish and shellfish.
- (14) Miscellaneous and variety meats including liver, kidneys, and made dishes such as stews, casseroles, etc.
- (15) Egg and cheese dishes which might be served as a main dish or entree in a meal.
- (16) All other dishes which might be served as a main dish or entree in a meal, such as spaghetti, vegetable plate, baked beans, chop suey, etc.
- (17) Potatoes.
- (18) All other vegetables.
- (19) Bread and butter.
- (20) Salads (except as served as main course in a meal).
- (21) Cakes, cookies, pies, pastries and other baked goods.
- (22) Ice cream and all fountain items.
- (23) All other desserts including fruits, puddings, cheese, etc.
- (24) Hot sandwiches.
- (25) Cold sandwiches.
- (26) All other food items, except beverages.

BEVERAGES

- (27) Non-alcoholic beverages.
- (28) Beer and other malt beverages.
- (29) Wines.
- (30) Other alcoholic beverages.

(b) *The classes of meals.* The classes of meals are (1) for week-days: breakfast, lunch, tea, dinner, supper; (2) for Sundays: breakfast, lunch, tea, dinner, supper.

**SEC. 5. No ceiling price to be higher than the highest price in the base period.** Under no circumstances are you permitted to charge a higher price for a food item or meal than the highest price at which you offered a food item or meal of the same class during the seven-day period.

*Example 1.* If you figured an "in line" price for a week-day dinner at \$1.25, and your

highest price in the week-day dinner class is \$1.00, your ceiling price for the new dinner is \$1.00.

*Example 2.* If during the seven-day period your highest price for soup was 15 cents, you may not offer any soup at a price higher than 15 cents.

**SEC. 6. Holiday differentials.** Notwithstanding the provisions of the foregoing section, any proprietor who has, customarily, in the regular course of his business, charged higher prices for food items or meals on holidays, such as New Year's Eve, Thanksgiving Day, Labor Day, etc., may continue to maintain his customary differentials.

**SEC. 7. Prohibition against discontinuing meals at certain prices.** You must not manipulate your meal offerings in a manner which will force your customers to spend more for meals than they spent during the seven-day period of April 4, 1943, to April 10, 1943. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class served on any day during the seven-day period, without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Fail to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select from the seven-day period as you did on that day.

*Example.* If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

**SEC. 8. Evasion.** You must not evade the provisions of this regulation by any scheme or device, including:

(a) Deteriorating quality or reducing quantity without making appropriate reductions in price;

(b) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(c) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period;

(d) Requiring as a condition of sale of an item or meal the purchase of other items or meals, when such condition was not in effect during the base period;

(e) Refusing to sell combinations of food items as meals if such meals were offered in the seven-day period and the items making up the combination are being offered separately;

(f) Encouraging tipping if, during the base period of April 4, 1943, to April 10, 1943, you discouraged tipping;

(g) Demanding or receiving rationing coupons in violation of any applicable law, regulation, or order.

**SEC. 9. Rules for new proprietors.** (a) If you acquire another's business and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Regional Office of the Office of Price Administration or to any appropriate District Office of the Office of Price Administration to which the applicable authority has been delegated, for permission to price under paragraph (b) or (c) of this section. If such permission is granted, it may be granted subject to such conditions as the office granting the permission deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the prices of food or drink, the Regional Office of the Office of Price Administration or the appropriate District Office of the Office of Price Administration to which the power has been delegated, may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 11 and the posting requirements of section 12 immediately upon the opening of your place.

(c) If you cannot price under paragraphs (a) or (b) above, you must apply for a price to the Regional Office of the Office of Price Administration or to the appropriate District Office of the Office of Price Administration to which the power to act on such applications may have been delegated. Your application must be filed 10 days prior to the date you plan to commence operations and must contain the following information:

- (1) Your name and address.
- (2) A brief description of your business and the manner of operation.
- (3) A list showing the prices you propose to charge.
- (4) The date which you plan to commence operations.
- (5) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Regional Office of the Office of Price Administration or the appropriate District Office of the Office of Price Administration to which power to handle such applications may have been granted, prior to the date specified for the commencement of operations. That office, at any time, after investigation, may establish such maximum prices for your business as it deems proper.

**SEC. 10. Taxes.** If in the seven-day period of April 4, 1943 to April 10, 1943, you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the

tax is measured by the number or price of items or meals.

**SEC. 11. Records—(a) Customary records.** You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration or any authorized employee thereof.

(b) *Records of the seven-day period.* You must make available for examination by any person during business hours a copy of each menu used by you in the seven-day period. If you did not use menus you must prepare in duplicate and make available for such examination a list of the highest prices you charged in the seven-day period.

(c) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration or any authorized employee thereof, two each of the menu used by you each day. If you did not use menus you must prepare in duplicate and preserve for such examination a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control, may keep the records required by this regulation for those places at a central office or at the principal place of business within the city.

**SEC. 12. Posting.** (a) Beginning May 15, 1943, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed are at or below our ceiling prices. By OPA regulation, our ceilings are our highest prices from April 4, 1943 to April 10, 1943. Records of these prices are available for your inspection.

For new proprietors the above statement should be changed to read:

All prices listed are at or below our ceiling prices. By OPA regulation our ceilings are fixed in line with the ceiling prices of the nearest eating or drinking place of the same type. Records of our determination of such prices are available for your inspection.

If you do not use menus, you must post a statement by a sign which can be easily read by your customers and which must be located near the cashier's desk, if any, or the principal entrance.

(b) If you made menus available to customers in the seven-day period, you shall continue to make them available.

**SEC. 13. Operation of several places.** If you own or operate more than one eating or drinking place you must do everything required by this regulation for each place separately, except that as to records only, if you can qualify to keep records at a central office or principal place of business pursuant to the provisions of Section 11 of this regulation, you may do so. "Eating or drinking place" includes any part of an establishment in which food items or meals were served during the seven-day period of April 4, 1943, to April 10, 1943, at prices

differing from those charged in any other part of the same establishment.

*Example 1.* If a hotel operates under its own management in the hotel building, a "coffee shop", a "main dining room", and a "roof garden", even though all may be served from the main kitchen, and different price lists or menus were used during the above named seven-day period, there are three separate eating or drinking places for the purposes of this regulation.

*Example 2.* If in an eating or drinking place food items, meals or beverages are served at tables at prices different from the prices of the same items, meals or beverages served at the bar, there are two separate eating or drinking places for the purposes of this regulation.

**SEC. 14. Relation to other maximum price regulations.** (a) The registration provisions of § 1499.15 of the General Maximum Price Regulation are applicable to every person subject to this Revised Restaurant Maximum Price Regulation No. 8-1.

(b) In all other respects, the provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the seven-day period of this regulation shall not become a maximum price under this regulation if it exceeded the maximum price established by another regulation applicable at that time. In such case the lawful maximum price applicable at that time shall be the maximum price hereunder.

**SEC. 15. Geographical application.** This regulation applies in the States of California, Oregon, Washington, Arizona and in the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

**SEC. 16. Enforcement.** Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942 as amended.

**SEC. 17. Definitions and explanations.** (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political sub-divisions and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale, and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food or a beverage sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

**Sec. 18. Adjustments.** (a) The Regional Office of the Office of Price Administration, or any District Office of the Office of Price Administration that may be authorized by such Regional Office, may adjust the maximum prices for any eating or drinking place subject to this regulation under the following circumstances:

(1) The establishment is operating under such hardship as to cause a substantial threat to the continuance of its operations; and

(2) It is determined with reasonable certainty that such discontinuance will result in serious inconvenience to consumers in that they will be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation; and

(3) By reason of such discontinuance the same meals or food items will cost the customers of the eating or drinking establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating or drinking establishment which satisfied all the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to the appropriate District Office of the Office of Price Administration a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment, including: Type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period, and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating or drinking places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement or, if none is available, a statement showing earnings and expenses, for your restaurant business for the most recent three-month accounting period.

(7) A profit and loss statement, or if none is available, a statement showing earnings and expenses, for your restaurant business for your most recent full

calendar year or fiscal year. If your last income tax return was filed separately for your restaurant business you may, if you prefer, file a copy of your income tax return in place of the profit and loss statement.

Applications for adjustment under this section may be acted upon by any District Office that has been authorized to do so by the Regional Administrator.

**Sec. 19. Special orders.** The provisions of this regulation to the contrary notwithstanding, the Regional Office of the Office of Price Administration, or any District Office to whom the power has been delegated by the Regional Administrator, may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Regional Administrator or the appropriate District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

**Sec. 20. Exemptions.** Sales of food items or meals by the following eating or drinking places are exempted from the provisions of this regulation:

(a) Eating and drinking places located on church, temple or synagogue premises, and operated in connection with such church, temple or synagogue, Sunday School or other religious organizations.

(b) Eating and drinking place, when operated as such, located on board common carriers, including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(c) Eating and drinking places when operated by a school, college, university or other educational institution, or a student fraternity or other student organization or association primarily for the convenience and accommodation of students and faculty, and not for profit as a commercial or business enterprise or undertaking.

(d) Bona fide private clubs which file with the appropriate Office of Price Administration District Office a statement setting forth that:

(1) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(2) It sells food items and meals only to members and bona fide guests of members;

(3) Its members pay dues of more than merely nominal amount (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body;

(4) It is otherwise operated as a club. Five days after filing such information, or earlier if so notified by the District Director, a private club may consider itself exempt unless and until it is otherwise notified by the District Director.

Any club which, subsequent to such filing, changes its operations with re-

spect to any of the requirements stated above, shall immediately notify the appropriate Office of Price Administration District Office accordingly. Any club which sells food items or meals to persons other than members and bona fide guests of members is subject to this regulation with respect to all sales.

(e) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

**Sec. 21. Licensing.** The provisions of Licensing Order No. 1, of the Office of Price Administration, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or the regulation. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**Sec. 22. Revocation and amendment.** (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the Regional Administrator.

This Revised Restaurant Maximum Price Regulation No. 8-1 shall become effective October 12, 1943.

Issued this 7th day of October 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-17981; Filed, November 5, 1943; 4:52 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 210 Under 18 (b), Amdt. 1]

BRESSLER BROTHERS, INC.

Amendment No. 1 to Order No. 210 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF1-439-P.

An opinion in support of this amendment has been issued simultaneously herewith and filed with the Secretary of the Office of Price Administration. Accordingly, for the reasons set forth in said Opinion, Order No. 210 under § 1499.18 (b) of the General Maximum Price Regulation, issued March 8, 1943, is amended by adding paragraph (f) to read as follows:

(f) Bressler Brothers, Inc. may withdraw from the escrow account created pursuant to authorization of the Office of Price Administration, all monies representing the difference between the Protestant's ceiling price at the time of delivery and \$13.50 per dozen, and deposited in escrow on account of sales of garments the same as or similar to those delivered by the Protestant in March 1942 under the lot numbers 2002, 2080, 3040, 3070 and 3080.

This Amendment No. 1 to Order No. 210 (§ 1499.1810) shall become effective November 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-17978; Filed, November 5, 1943;  
4:50 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 9, Amdt. 3]

TEMPORARY FOOD RATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

General Ration Order 9 is amended in the following respects:

1. Section 1305.65 (b) is amended by inserting the following sentences immediately after the first sentence:

However, if the applicant shows good cause to the board for his failure to have such application, the board may permit him to apply on OPA Form R-315. The applicant must produce evidence sufficient to satisfy the board that he is eligible under this section.

2. Section 1305.65 (c) (2) is amended by inserting the following sentence immediately after the first sentence:

However, such person may not use OPA Form R-315.

This amendment shall become effective November 11, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18010; Filed, November 6, 1943;  
4:27 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 15]

WAR RATION BOOKS FOR CERTAIN CANADIAN RESIDENTS

§ 1305.212 *The issuance of war ration books to certain Canadian residents and their use.* Pursuant to the authority vested in the Office of Price Administration and the Administrator by Executive Orders 9125 and 9280, War Production Board Directive 1 and Supple-

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 7107, 10079, 12796.

mentary Directives thereto, and Food Directives 1, 3, 5, 6, 7 and 8 issued by the Secretary of Agriculture, General Ration Order 15 (War Ration Books for Certain Canadian Residents) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1305.212 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093.

GENERAL RO 15—WAR RATION BOOKS FOR CERTAIN CANADIAN RESIDENTS

CONTENTS

Sec.

1. Purpose and scope of this order.
2. Certain residents of Canada may get and use War Ration Books.
3. Removal of War Ration Books issued under this order prohibited.

SECTION 1. *Purpose and scope of this order.* This order provides for the issuance of war ration books to persons residing in Emerson County, Province of Manitoba, and Rainy River County, Province of Ontario, Canada, in the area bounded on the west by 96 degrees west longitude, on the east by 94 degrees west longitude, on the north by 50 degrees north latitude and on the south by the international boundary line of the United States and Canada.

SEC. 2. *Certain residents of Canada may get and use war ration books.* Any person described in section 1, although he does not reside in the United States, may apply to any board for, and may get and use War Ration Book No. 3, (OPA Form R-130) and War Ration Book Four (OPA Form R-145) in accordance with the provisions of General Ration Order 12 and General Ration Order 14, respectively. The application need not be made in person. However, no such war ration book shall be issued to him unless he has given up to the board any

food ration book he holds, issued to him under authority of Wartime Prices and Trade Board Order No. 208 of the Canadian War Orders and Regulations.

SEC. 3. *Removal of war ration books issued under this order prohibited.* No war ration book issued under this order shall be taken or sent out of the United States. However, the provisions of section 8 (c) (1) of General Ration Order 12 and section 11 (c) (1) of General Ration Order 14 which require persons holding War Ration Book No. 3 and War Ration Book Four to turn them over to a board if they leave the United States for more than thirty days, shall not apply to persons who receive such books under this order.

This general ration order shall become effective November 5, 1943.

Issued this 5th day of November 1943.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 43-17968; Filed, November 5, 1943;  
4:49 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1E, Amdt. 2]

MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 1E is amended in the following respects:

1. Section 4.2 (c) is amended to read as follows:

(c) *Eligibility for tires and tubes determined on basis of adjusted ration.* The board shall then determine the applicant's eligibility for a tire or tube on the basis of his adjusted mileage, in accordance with the following table:

Total allowed mileage	Kind of tire	Kind of tube
150 miles per month or less	Limited service	Used.
151 to 600 miles per month	Grade III tire or recapping service with Grade C camelback.	New.
601 miles per month or over	Grade I or Grade III tire at applicant's option.	New.
For fleet passenger automobiles or official passenger automobiles for which interchangeable gasoline ration books have been currently issued.	Grade III tire; if applicant establishes that the particular vehicle will be operated for 601 miles per month or more, then a Grade I tire.	New.

(1) An applicant whose total allowed mileage exceeds 600 miles per month may be issued a certificate for the class of Grade I tire which the Director has instructed the Board to issue for the total allowed mileage which the applicant drives.

(i) The classes of Grade I tires are: pre-war, 85% level and above; synthetic rubber; pre-war, below 85% level; and reclaimed rubber. The Director shall, when specifying the classes of Grade I tires which a Board may authorize, have

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 12434, 13920.

due regard for the existing inventories of each class of tires in each island, and the relationship between the total allowed mileage of the applicant and the expected length of life of each class of tires.

2. Section 6.4 (d) (1) is amended to read as follows:

(1) *For recapping.* A recapper may apply camelback to the tread surface of a tire carcass, provided that no truck type camelback shall be used in recapping a tire to be mounted on a "passenger automobile" unless its total allowed mileage exceeds 150 miles per month.

No recapper shall apply camelback to the tread surface of a tire carcass if it will not be serviceable as a recapped tire. No recapper shall apply any rubber substance other than camelback to the tread surface of a tire for the purpose of tread renewal unless authorized by the Office of Price Administration or the War Production Board.

3. Section 7.4 (b) is amended to read as follows:

(b) File a report on OPA Form THR-17 (Revised) in accordance with the instructions thereon.

This amendment shall become effective November 5, 1943.

(§ 1315.19 issued under Pub. Law 671, 76th Cong., E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 3d day of November 1943.

MELVIN C. ROBBINS,  
Territorial Director,  
Territory of Hawaii.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 43-18911; Filed, November 6, 1943;  
4:28 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 319,<sup>1</sup> Amdt. 7]

##### CERTAIN BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 319 is amended in the following respects:

1. Section 1351.1907 is amended to read as follows:

§ 1351.1907 *Producers must print on wrappers all maximum prices for sales to ultimate consumers.* Wherever a producer sells a commodity listed in Appendix A hereof in a wrapper or other packaging materials after having calculated or reported his maximum price thereon, and where said commodity is intended to be sold by retailers, he shall print on the face of said wrapper or packaging material the maximum price of the retailer for sales to ultimate consumers calculated in accordance with § 1351.1904, or where he sells said commodity directly to the ultimate consumer, his maximum price for sales to ultimate consumers calculated in accordance with § 1351.1903.

2. Section 1351.1910 (a) is amended to read as follows:

(a) *Calculation and reporting of maximum prices.* No producer subject to this regulation shall sell any of the com-

modities listed in Appendix A hereof until he has calculated and reported his maximum price to the Office of Price Administration. Maximum prices for sales to ultimate consumers shall be reported to the state or district office of the Office of Price Administration for the state or district in which the commodities are produced and maximum prices for sales to retailers shall be reported to the Office of Price Administration in Washington, D. C. No producer may sell any of the commodities listed in Appendix A, hereof, at a price higher than the price so reported or calculated, but he may sell at a lower price.

This amendment shall become effective November 12, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18912; Filed, November 6, 1943;  
4:29 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 322,<sup>1</sup> Amdt. 1]

ALFALFA HAY; STATES OF CALIFORNIA, OREGON, WASHINGTON, ARIZONA, NEVADA, UTAH, IDAHO, NEW MEXICO AND CERTAIN COUNTIES IN TEXAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 322 is amended in the following respects:

1. Sections 5 (b), (c) and (d) are amended to read as follows:

(b) The maximum price for the sale or delivery of alfalfa hay by a country shipper to a dealer or industrial user shall be \$2.00 per ton (maximum markup) over his cost which shall not exceed the maximum price thereon to him of the producer from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such country shipper in selling to a dealer.

(c) The maximum price for the sale or delivery of alfalfa hay by a country shipper to a retailer or to a feeder except by a sale of a type specified in section 7 hereof, shall be \$3.00 per ton (maximum markup) over his cost which shall not exceed the maximum price thereon to him of the producer from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such country shipper in so selling to a retailer or feeder.

(d) Notwithstanding the foregoing provisions of this section, country shippers customarily doing business as above described may trade in alfalfa hay among themselves: *Provided*, That no more than a total of the \$2.00 maximum markup above permitted is charged a dealer or

industrial user, nor more than a total of \$3.00 maximum markup above permitted is charged a retailer or a feeder as the case may be for his purchase from any country shipper of any particular lot of alfalfa hay irrespective of the number of such country shippers who may have handled the alfalfa hay in question.

2. Sections 6 (a), (b) and (c) are amended to read as follows:

(a) "Dealer" means a person who buys alfalfa hay from a producer or country shipper for resale to an industrial user or a retailer or a feeder except by sale of a type specified in section 7 hereof.

(b) The maximum price for the sale or delivery of alfalfa hay by a dealer shall be \$1.50 per ton (maximum markup) over his cost which shall not exceed the maximum price thereon to him of the producer or country shipper, as the case may be, from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such dealer.

(c) Notwithstanding the foregoing provisions of this section, dealers customarily doing business as above described may trade in alfalfa hay among themselves: *Provided*, That no more than a total of the \$1.50 markup above permitted is charged in any such sale to an industrial user or a retailer or a feeder for the purchase from any dealer of any particular lot of alfalfa hay irrespective of the number of such dealers who may have handled the alfalfa hay in question.

3. Sections 7 (a), (b) and (c) are amended to read as follows:

(a) "Retailer" means a person who buys alfalfa hay for the purpose of sale to a feeder in the quantities and in the manner specified below.

(b) The maximum prices for the sale or delivery of alfalfa hay by a retailer shall be one of the following markups over his cost which shall not exceed the maximum price thereon to him of the producer, country shipper or dealer from whom the alfalfa hay in question was purchased plus transportation charges actually incurred by such retailer in so selling to a feeder:

(1) Where the retailer has unloaded and stored the alfalfa hay in question in his established place of business which must consist of a permanent structure or building such as a feed store or structural warehouse:

(i) \$5.00 per ton maximum markup if sold in quantities of two tons or less.

(ii) \$4.50 per ton maximum markup if sold in quantities of more than two tons and not over three tons.

(iii) \$3.50 per ton maximum markup if sold in quantities of more than three tons and not more than five tons.

(iv) \$3.00 per ton maximum markup if sold in quantities of more than five tons but not over seven tons.

(2) Where the retailer sells from off a railroad car, \$3.00 per ton maximum markup if sold in quantities of less than railroad carlots.

(c) Notwithstanding the foregoing provisions of this section, retailers customarily doing business as above described may trade in alfalfa hay among

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 1808, 2719, 2720, 3846, 7196, 10599, 13339.

<sup>1</sup> 8 F.R. 8500.

themselves: *Provided*, That no more than a total of the maximum markup above permitted for the sale of a particular lot of alfalfa hay is charged a feeder for the purchase from any retailer of such lot, irrespective of the number of such retailers who may have handled the alfalfa hay in question.

4. Section 13 (c) is added to read as follows:

(c) As used in this revised regulation the following terms shall have the following meanings:

(1) "Feeder" is any person who feeds alfalfa hay to livestock.

(2) "Industrial consumer" is a person producing alfalfa meal from alfalfa hay or otherwise processing alfalfa hay except such as occurs in the production of chopped alfalfa hay.

This amendment shall become effective November 12, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78 Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18013; Filed, November 6, 1943;  
4:29 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,<sup>2</sup> Amdt. 87]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (1) is amended by adding after the period at the end of the subparagraph the sentence, "The replacement of worn-out parts or the replacement of fuel oil burning equipment for the purpose of increasing the efficiency of the equipment (other than an additional facility) is not an installation of additional facilities."

2. Section 1394.5507 (b) is amended to read as follows:

(b) Upon certification by the Office of Defense Transportation, or any authorized representative thereof, that any person to whom a ration has been issued has been found by it to have violated an order of that office, and upon recommendation by such office that the ration or any part thereof, issued to such person be revoked, the Washington office, or the Re-

gional Administrator, District Director, or Board having jurisdiction, will revoke the ration or such part thereof.

3. Section 1394.5507 (c) is amended to read as follows:

(c) Upon recommendation by the Petroleum Administration for War, or any authorized representative thereof, that fuel oil be denied to any person for the operation of oil burning equipment (other than equipment furnishing heat or hot water to any building or structure) for the reason that such equipment can be converted to the use of a fuel other than fuel oil, the Washington Office, or the Regional Administrator, District Director, or Board having jurisdiction, will revoke any ration issued, or withhold the issuance of any ration, to such person for such use.

4. Section 1394.5507 (e) is revoked.

5. Every reference to "State Director" or "District Manager" is amended to read "District Director."

This amendment shall become effective on November 11, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive No. 1, 7 F.R. 562; Supp. Dir. No. 1-O, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18014; Filed, November 6, 1943;  
4:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,<sup>1</sup> Amdt. 84]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 3.10 is added to read as follows:

SEC. 3.10 *Industrial users who become processors because of the addition of items to the list of processed foods.* (a)

An industrial user who, because of the addition of items to the list of processed foods, becomes a processor with respect to items he produced as an industrial user, must, if he is not already registered as a processor, register as such in accordance with section 3.2 (f), and open a ration bank account for his processor operations. He must deposit all points he has as an industrial user in his processor ration bank account. If he has an industrial user ration bank account, he may draw a check for the balance therein and deposit it in his processor account. All processed foods he has in his industrial user inventory shall be deemed to be part of his processor inventory.

(1) An industrial user who ceases to be such because all the items he produced

<sup>1</sup> 8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 13301, 13492, 13980.

as an industrial user are added to the list of processed foods must, within eight days after he ceases to be an industrial user, give to the board with which he is registered the notice required in section 13.1 that he will cease to operate as an industrial user, and he must close out his industrial user bank account, if any.

(2) An industrial user who becomes a processor with respect to some, but not all, the items he produced as an industrial user must, within eight days after the items produced by him as an industrial user are added to the list of processed foods, amend his industrial user registration by eliminating from his base period use of processed foods his use of those foods for the production of the items added to the list of processed foods. The board shall cancel his current allotment, and any excess inventory with which he may be charged, and shall grant for the remainder of the current allotment period, an allotment based on his use of processed foods in the corresponding base period to produce items as to which he remains an industrial user. However, this allotment is to be reduced in proportion to the part of the allotment period which had elapsed at the time he amended his industrial user registration. (Any such industrial user who, by the operation of this subparagraph, is unable to use any unused portion of his past allotments allocable to the products as to which he continues to be an industrial user, may petition for an adjustment under section 14.5.)

This amendment shall become effective November 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 8 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18015; Filed, November 6, 1943;  
4:27 p. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 463,<sup>1</sup> Amdt. 1]

"GENERAL MANAGER TYPE" GRAIN DOORS AND TEMPORARY COAL DOORS FOR BOX CARS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

A new section 3a is added to read as follows:

SEC. 3a. *Items not specifically priced.* Any person wishing to sell an item covered by the regulation, but not specifically priced therein, must apply to the Lumber Branch of the Office of Price Administration, Washington, D. C. for a maximum price. He must submit a complete description of the item to be priced.

This amendment shall become effective November 12, 1943.

<sup>1</sup> 8 F.R. 14151.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 8480, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 369, 374, 437, 439, 444, 535, 607, 608, 977, 1203, 1235, 1316, 1282, 1681, 1636, 1859, 2194, 2432, 2593, 2781, 2871, 2720, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 4938, 4255, 4137, 4350, 4784, 4850, 5678, 6064, 6262, 6920, 7588, 6137, 9059, 9219, 9458, 9382, 10082, 10089, 10304, 10435, 11380, 11687, 11756, 11814, 12543, 12139, 12934, 12713, 13125, 13341, 14126.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18016; Filed, November 6, 1943; 4:29 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 34]

EXCEPTIONS; SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 1 is amended in the following respects:

1. Section 4.3 (i) (1) is amended to read as follows:

(1) Completed rations: C; D; K; Five-in-One; Mountain; Bail Out; Combat; Jungle; Life Raft; Corned Beef Hash (5½ lb. can); Meat and Vegetable Stew (30 oz. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne; and Ten-in-One.

2. Section 4.3 (i) (2) is amended by adding subdivisions (xxv), (xxvi), (xxvii), (xxviii), (xxix), and (xxx) to read as follows:

- (xxv) Halazone tablets (covered by Maximum Price Regulation No. 392).
- (xxvi) Matches (covered by Maximum Price Regulation No. 365).
- (xxvii) Soap (covered by Maximum Price Regulation No. 391).
- (xxviii) Paper towels (covered by Maximum Price Regulation No. 266).
- (xxix) Canned roast beef (covered by Maximum Price Regulation No. 169).
- (xxx) Dehydrated corned beef hash.

This amendment shall become effective November 12, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18017 Filed, November 6, 1943; 4:26 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 207—NAVIGATION REGULATION

TOWNS ON CERTAIN TRIBUTARIES TO ATLANTIC OCEAN AND GULF OF MEXICO

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), paragraph (e) (4) of § 207.160 is amended as follows:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 10955, 13724.

§ 207.160 All waterways tributary to the Atlantic Ocean south of Chesapeake Bay and all waterways tributary to the Gulf of Mexico east and south of St. Marks, Fla.; use, administration, and navigation. \* \* \*

(e) Waterways. \* \* \*

(4) Assembly and handling of tows. All vessels drawing tows not equipped with rudders shall use two tow lines or a bridle and shorten them to the greatest possible extent so as to have full control at all times. The various parts of a tow shall be securely assembled with the individual units connected by lines as short as practicable. If necessary, as in the case of lengthy or cumbersome tows or tows in restricted channels, the District Engineer may require that tows be broken up and may require the installation of a rudder, drag or other approved steering device on the tow in order to avoid obstructing navigation or damaging the property of others, including aids to navigation maintained by the United States or under its authorization, by collision or otherwise. (Sec. 7, 40 Stat. 266; 33 U.S.C. 1) [Regs. 30 April 1938 (E.D. 7241 (Norfolk-Key West Intracoastal Waterway) 2/1) as amended by Regs. 29 October 1943, CE 800.211 (Atlantic Intracoastal Waterway)—SPEKH]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 43-17985; Filed, November 6, 1943; 10:06 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 3—ENLISTMENTS

Part 3 of this chapter is hereby amended and revised to read as follows:

- Sec. 3.1 Enlistments.
- 3.2 Qualifications for enlistment; apprentice seamen.
- 3.3 First enlistments.
- 3.4 Citizenship.
- 3.5 Consent papers.
- 3.6 References.
- 3.7 Identification records.
- 3.8 Physical examinations.
- 3.9 Mental examination; General Classification Tests.
- 3.10 General information.
- 3.11 Enlistment papers.
- 3.12 Enlistments for U. S. Navy School of Music.
- 3.13 Steward's Mates.

AUTHORITY: §§ 3.1 to 3.13, inclusive, issued under R.S. 1547; 34 U.S.C. 591.

NOTE: §§ 3.2 to 3.13 have been extracted from the publication "Instructions for the Recruiting Service of the United States Navy," 1940, as amended to November 1, 1943. The respective article numbers of this source publication are noted in brackets at the end of each section.

§ 3.1 Enlistments. (a) Unless modified by specific instructions from the Bureau (of Naval Personnel), first enlistments are authorized to be made only at regular recruiting stations.

(b) Instructions will be issued to the recruiting service by the Bureau from time to time setting forth the terms of

enlistments for which men are to be accepted, the ratings in which first enlistments may be made, the maximum and minimum ages for such enlistments, and other qualifications for first enlistments. [Art. D-1001, Bu. Pers. Manual]

§ 3.2 Qualifications for enlistment; apprentice seamen—(a) Physical requirements. Physical requirements for enlistment may be found in Chapter 11, Manual of the Medical Department, United States Navy.<sup>1</sup>

(b) Age limits. Applicants must be eighteen years of age and under thirty-one years of age at time of enlistment.

(c) Citizenship. Applicants must be native born or fully naturalized citizens of the United States.

(d) General Classification Test. Applicants must have a passing mark of at least 50% in the General Classification Test.

(e) Character. Applicants must be of good character.

(f) Unmarried. Applicants must be unmarried.

(g) No dependents. Applicants must have no dependents.

(h) Police record. Applicants must have no police or juvenile record involving moral turpitude.

(i) Age limit, ex-service men. Ex-members of the Marine Corps, Army and Coast Guard, with creditable discharges (by reason of expiration of term of enlistment or for the convenience of the Government) may be enlisted if in all respects qualified, provided they are under 35 years of age.

(j) Ex-service men, rating in which enlisted. Ex-members of the Marine Corps, Army and Coast Guard, who are eligible for enlistment, are enlisted in the rating of apprentice seaman and advanced to the rating of seaman second class after one month's service, provided the previous service and training warrant such advancement. [Pars. 8-11 to 8-20]

§ 3.3 First enlistments—(a) Ratings. First enlistments will be made only in the ratings of apprentice seamen, hospital apprentice second class, and steward's mate third class.

(b) Evidence of age. Every applicant for first enlistment must produce a bona fide certificate or conclusive proof of the date and place of his birth. Consent paper (NRB form 18) and Age Certificate (NRB form 15) will not be accepted as conclusive evidence of date and place of birth even when sworn to, unless such information has been established by the recruiter through one of the following sources:

- (1) State Bureau of Vital Statistics or the State Department of Public Health, when filed early enough in life to be unquestionably accurate.
- (2) County Department of Public Health, County Clerk's or County Registrar's Office, when filed early enough in life to be unquestionably accurate.
- (3) City Department of Public Health, City Clerk's or City Registrar's Office, when filed early enough in life to be unquestionably accurate.

<sup>1</sup> Manual of the Medical Department, United States Navy, 1938, is available at Office of Surgeon General, Navy Department, Washington, D. C.

(4) Hospital records of the hospital in which the applicant was born; the records of the attending physician or the attending midwife.

(5) Church records or baptismal records, when such records were made early enough in the life of the applicant to be unquestionably accurate.

(6) The family Bible, when the entries appear to have been made at or near the actual date of birth.

(7) School records, preferably grammar school records, when there are no other means of establishing the date of birth.

(8) In cases of naturalization of the father, the age of minor children is sometimes included in the record. A notation on the reverse side of the consent papers will be signed by the recruiter to indicate how date and place of birth were established.

(c) *No alterations on birth certificates.* Birth certificates submitted to recruiting officers or recruiters will be carefully examined, and no birth certificate will be accepted on which alterations are apparent. [Pars. 8-31 to 8-33]

§ 3.4 *Citizenship*—(a) *U. S. Citizens or natives of U. S. insular possessions.* No person shall be enlisted in the Navy who is not a native-born or fully naturalized citizen of the United States or a native of the United States insular possessions. Recruiting officers and recruiters must establish in each case that the applicant is actually a United States citizen or a native of United States insular possessions, as the case may be. Natives of insular possessions will not be enlisted without special authority from the Bureau.

(b) *Fact of citizenship to be entered in service record.* The recruiting officer shall enter, both in the service record and on the shipping articles, a notation to the effect that the man enlisted is a United States citizen. If citizenship was obtained by court action, the entry shall show the name and address of the court granting citizenship, the date citizenship was granted, and the court number of the case.

(c) *Shipping articles to bear notation as to how citizenship was attained.* The shipping articles of all persons enlisted must bear a notation explaining how their United States citizenship was attained. For example, a child born in England of parents who are United States citizens is a United States citizen, and, in the place provided in the shipping articles, a notation should be made similar to the following:

United States citizen (parents United States citizens were temporarily residing in England at time of applicant's birth).

(d) *Alien must be fully naturalized.* An alien over 21 years of age must be fully naturalized in his own right in order to be eligible for enlistment. He must produce his own certificate of citizenship.

(e) *Cases of doubt.* In cases where there is doubt as to the citizenship of an applicant, the recruiting officer may obtain information from any field office of the Immigration and Naturalization Service, or the Commissioner of Immigration and Naturalization, Washington, D. C. [Pars. 8-41 to 8-44 and 8-47]

§ 3.5 *Consent papers*—(a) *For all minors.* Written consent for enlistment must be secured from the parent or

guardian in all cases of minors under eighteen years of age. This consent must be made on NRB Form 18, "Consent, Declaration, and Oath of Parent or Guardian."

(b) *Witnessing consent papers.* Recruiting officers or recruiters actually witnessing the signing of consent papers by the person authorized to sign them shall endorse the face of the consent papers to this effect.

(c) *Persons authorized to sign consent papers.* The following persons are authorized to sign consent papers:

(1) The father, if parents are living and are neither divorced nor legally separated.

(2) Either parent if the other parent is dead, there being no court order establishing a legal guardianship.

(3) Either parent to whom custody of the child was awarded by court order in case of divorce or legal separation.

(4) Both parents, a separate consent paper being made out for the signature of each, in cases where no custody is awarded or where custody is divided by court order as a result of divorce or legal separation.

(5) The legal guardian if one has been appointed by court order.

(d) *Special guardianship papers.* In cases where an orphan does not come under the control of children's guardian, special guardianship papers may be accepted if issued in the name of some reputable person.

(e) *Orphan without legal guardian.* If a thorough investigation reveals that an applicant has no living parent or guardian, the Bureau will consider authorizing such enlistment with the consent of the nearest living relative. A complete report of the circumstances in the case will be made when applying for authorization.

(f) *Consent papers not required when over 18.* Consent papers are not required for applicants over eighteen years of age. In lieu thereof NRB Form 15, Age Certificate Form, shall be completed and forwarded with the enlistment papers.

(g) *Endorsements on back of consent papers.* Where documentary evidence, or official letter accepted in lieu of such evidence, establishing proof of date of birth, adoption, change of name, divorce and custody, or naturalization, is not submitted with the enlistment papers, the recruiting officer, or recruiter, shall place upon the back of the consent papers or Age Certificate Form, as may be applicable, endorsements showing from what source proof was obtained for each of the above items when applicable. When documentary evidence is submitted with the enlistment papers the above endorsements are not required.

(h) *Alterations or erasures.* No consent paper will be accepted with erasures or alterations.

(i) *Consent of parent not signing consent papers.* Where practicable in cases where applicant's father and mother are living together, the consent of the parent not required to sign the consent papers should be obtained verbally. The Navy desires satisfied parents as well as satisfied applicants.

(j) *Men with dependents not to be enlisted.* Recruiting personnel will establish definitely the status of each applicant as to dependency and potential

dependency, and no first enlistment will be made where dependency exists, or is likely to exist, which might cause a recruit to request a special order discharge at some future date.

(k) *Married men not to be enlisted.* Married men will not be accepted for first enlistment. Potential dependency is deemed to exist in the cases of divorced men; also in the cases of those who admit an engagement to be married at an early date. [Pars. 8-51 to 8-61]

§ 3.6 *References*—(a) *To be obtained on all applicants.* Written references must be obtained on all applicants for first enlistment. No references will be delivered to an applicant. They will be mailed direct or be delivered by a recruiter. Where practicable, recruiters should deliver references in order to make personal contact and obtain as much pertinent information as possible.

(b) *Relatives or friends.* No references will be accepted from relatives or close friends of an applicant or his family.

(c) *Responsible citizens.* References must be from reputable and responsible citizens of the community who are not personally interested in the enlistment of the applicant.

(d) *References confidential.* References will be held strictly confidential. Under no circumstances shall the contents of any reference be revealed to any person not in the recruiting service.

(e) *Employers' references.* Employers' references or references from military or semi-military organizations are considered accurate estimates of the qualifications of an applicant if they cover a sufficient period of time. If an applicant has not been employed, a character reference in lieu of an employer's reference may be obtained.

(f) *Source of references to be considered.* Since a reference is no better than the person who gives it, recruiters must establish definitely in each case that the person giving the reference is actually a reputable and responsible citizen.

(g) *Police and juvenile court references.* Police and juvenile court references should be obtained from every city, town and county in the United States in which the applicant has resided since birth. In cases where applicants have resided in foreign countries, thus making it impracticable to obtain police and juvenile court records covering the periods of such residence, such references for these periods are not required.

(h) *Enlistment of men with police and juvenile court records.* The greatest precaution shall be exercised to prevent the enlistment of men with reformatory, police court, or prison records. The acceptance of such men does more to prejudice the general public against the Navy than any other single cause, particularly as the fact that these men are summarily discharged when their records become known does not receive general publicity. The cases of men who apply for enlistment and are found to have juvenile court records shall be thoroughly investigated. Should the recruiting officer consider a man with such a record as desirable material for the Navy, he shall make a full report to the Bureau, via the Recruiting Inspector, of all the circum-

stances. He shall include with his report the statement of the juvenile court judge or the probation officer, and shall give his own recommendation in the case. The Bureau will decide each such case on its own merits.

(i) *Applicants reared in institutions having correctional features.* Applicants for enlistment who have been reared or trained in institutions having correctional features may be accepted for enlistment only where, in each case, thorough investigation has disclosed that the applicant was committed therein through no fault of his own. [Pars. 8-71 to 8-79]

§ 3.7 *Identification records*—(a) *Fingerprints to be taken by recruiters.* All fingerprints will be taken by recruiters, either at the main station or at the substations. Under no circumstances will fingerprinting of applicants be done by police authorities.

(b) *Personal Identification Form, U. S. Navy.* All applicants for enlistment and reenlistment will be required to complete Personal Identification Form, U. S. Navy. When these forms have been completed they will be sent immediately to the Federal Bureau of Investigation, Department of Justice, Washington, D. C., with the request for information, in writing, as to whether or not examination of these fingerprint records discloses any data concerning these applicants. The form will be retained in the files of the Federal Bureau of Investigation. No first enlistments or broken service reenlistments will be made until records have been cleared through the Federal Bureau of Investigation, or, in the cases of minor offenses, until authority for such enlistment has been received from the Bureau of Naval Personnel. The Federal Bureau of Investigation will mail replies only to main recruiting stations. If recruiting substations mail forms direct to the Federal Bureau of Investigation a paragraph in the letter of transmittal should request that replies be mailed to the main station concerned. [Pars. 8-82 to 8-83]

§ 3.8 *Physical examinations*—(a) *Conduct of physical examinations.* Physical examinations will be conducted by recruiters in strict privacy. Where a minor physical defect is detected which ordinarily can be remedied by a slight operation, recruiters will continue their examination of the applicant until its completion, to determine whether or not he has other defects which would disqualify him for enlistment.

(b) *Applicants submitting to corrective operations.* When an applicant states his intention of submitting to a minor operation for the remedy of a defect detected by recruiters, such recruiters must recommend no physician, surgeon, dentist or hospital to the applicant and must inform the applicant that even though the operation is successful no assurance can be given that he will be accepted for enlistment.

(c) *Rejected applicants examined at main station.* Applicants who are rejected physically at substations will be given a further physical examination at the main station if they so request, pro-

viding they proceed at their own expense. This practice will not be encouraged by recruiters.

(d) *Medical officer to examine applicants.* Medical officers attached to recruiting stations will not delegate the conduct of physical examinations to others.

(e) *Medical officers not to accept men with defects likely to become aggravated.* Medical officers should be particularly careful not to accept men who have defects which are likely to become aggravated and cause disability for service or which may be used as a claim for compensation. It is often difficult to determine whether an individual is suffering from, or predisposed toward, mental disease during the time an applicant is under observation in a recruiting office, especially when the applicant is reacting to his normal mental level during that period, and a few cases are passed and enlisted in the Naval Service who are soon discharged by medical survey for mental disorder and may be entitled to compensation. Medical officers and recruiting officers should, therefore, whenever possible, obtain the previous history and recommendations as to ability and desirability from applicants' relatives, former employers, neighbors and family physicians.

(f) *Man to be informed of defects.* Slight defects which are not considered at the time of examination to be of sufficient importance to cause rejection, may later become aggravated, or the individual may later complain of symptoms therefrom. The burden of proof lies with those who would show that an individual was suffering from a disease prior to his entry into the Naval Service. Therefore, medical officers will be careful to enter all physical defects (deformities and results of injuries, operations and diseases) on the abstracts or first page of the health record and the applicant should be required to sign the following statement: "The medical officer has informed me that I have the following defects."

(g) *Waivers Form NavPers 684.* Requests for waivers, Form NavPers 684 (in triplicate) may be submitted for especially desirable applicants who have minor physical defects. When telegraphic waivers are requested, it is directed that the name of the applicant be given in full, together with the date and place of birth.

(h) *Waivers for underweight.* In requesting waivers for underweight, especially when such requests are made by despatch, it is directed that the age, height, weight, chest expansion, and number of inches expanded, be given, as well as the number of pounds underweight.

(i) *Teeth.* Applicants who have defective or missing teeth and who do not meet the requirements for enlistment should be rejected outright. Where the defects are minor in nature and may easily be remedied by a Naval dental officer, a waiver may be requested if the applicant is deemed to be especially desirable. If the applicant desires to have dental work done in order to fit himself for enlistment, he must have it done en-

tirely upon his own responsibility. This must be explained to the applicant in each case. Defective teeth should be indicated by number and not by description, as "Teeth missing, one, two, sixteen; decayed, thirteen, twenty-three."

(j) *Flat feet, waivers therefor to contain report of tests jumping.* Flat foot, when accompanied by symptoms of weak foot, or when the foot is weak on test, is disqualifying. Pronounced cases of flat foot attended with decided eversion of the inner border, due to inward rotation of the astragalus (ankle bone), are disqualifying regardless of the presence or absence of subjective symptoms. When any degree of flat foot is found, the strength of the feet should be ascertained by requiring the applicant to hop on the toes of each foot for a sufficient time and by requiring him to alight on the toes after jumping up several times. Requests for waiver for flat feet should contain the results of such exercise tests.

(k) *No responsibility to be assumed in fitting applicants for enlistment.* Neither the recruiting officer nor the medical officer will assume any responsibility either for themselves or for the Navy in fitting applicants for enlistment. The medical officer shall not operate on such applicants with a view to qualifying them.

(l) *Applicants not to write Bureau of Naval Personnel for waivers.* Recruiting officers will advise applicants not to write to the Bureau for waivers and not to present themselves to the Bureau in person. Such cases as in the opinion of the recruiting officer merit the Bureau's consideration will be handled officially by the recruiting officer in the usual manner. [Pars. 8-93 to 8-104]

§ 3.9 *Mental examination; General Classification Tests.* All applicants for enlistment shall be given the General Classification Test, prescribed for current use. Applicants, except for the rating of Steward's Mate third class, who make a mark lower than 50% shall be considered ineligible for enlistment. The General Classification Test mark of each applicant accepted for enlistment will be entered in an appropriate record and sent to the training station to which the recruit is sent. Used General Classification Tests will be retained at the Recruiting Station for a period of three months, after which they will be destroyed by burning. [Par. 8-111]

§ 3.10 *General information*—(a) *Navy life to be explained.* Recruiting personnel shall explain carefully the regulations regarding enlistments, promotions, and discharges to those applying for enlistment, explaining to them the kind of life they are to lead and that Navy life is largely spent on shipboard. Applicants should be informed of the life they will lead for the first few months in the service. They will thus realize the discipline and military life involved and so may overcome dissatisfaction experienced in some cases during their early period of training. The hard part of Navy life must be explained truthfully as well as the easy and pleasant part.

(b) *No promise of leave.* No promise will be made to recruits that they will be

granted leave of absence upon completion of the period of training at a Naval Training Station, although every effort will be made to give recruits leave at that time, if practicable.

(c) *Punishment for desertion.* Every recruit must have explained to him the provisions of the Articles for the government of the Navy relative to desertion and the penalties therefor.

(d) *Typhoid prophylaxis.* Every applicant will be informed that he must submit to treatment for the prevention of typhoid and smallpox, and to such other preventive measures as may be considered necessary by naval authorities. Refusal to submit to this treatment will disqualify the applicant for enlistment.

(e) *No promises.* Recruiters must be careful to make no promises, either actual or implied. In answering questions, particularly in writing, they should be plain and explicit so that the recipient is in no doubt as to the meaning intended.

(f) *Recruits warned as to previous service.* Each recruit enlisted who states that he has had no previous service in the Army, Navy, Marine Corps, or Coast Guard shall be informed that if he has had such previous service the fact will become known as soon as his papers reach the Navy Department, and that he will be tried by court-martial for fraudulent enlistment.

(g) *Fingerprint warning.* In order to discourage the reenlistment of undesirable men under assumed names, recruiting officers will require the following sign to be placed in the main station and in each substation over the desk where fingerprints are taken.

#### WARNING

If you have been in the Army, Navy, Marine Corps or Coast Guard and were not honorably discharged, your fingerprints are on file. The fingerprint expert will establish your identity before you are transferred.

The word "Warning" shall be in red and the remainder in black. The sign should measure about 16 by 20 inches.

(h) *Drifters.* Applicants who do not reside within the recruiting territory of the main station or substation at which they apply for enlistment, will be advised to make their applications at the recruiting station covering the territory in which they maintain permanent residence. The drifter type generally is not desirable for the Navy.

(i) *Political affiliations.* Recruiting personnel must not suggest, or imply, that correspondence between applicants' political representatives and the Navy Department will give them preference on the waiting list or result in their acceptance after having been rejected.

(j) *Bribes.* In the event an applicant attempts to bribe recruiting personnel to advance his name on the waiting list, he will be rejected as undesirable.

(k) *Applicants' friends.* Qualified applicants should be requested to furnish the names and addresses of their acquaintances who may possibly desire to enter the Naval Service. All applicants will be treated with courtesy and consideration.

(l) *Naval Academy.* The Bureau of Naval Personnel does not desire that the remote possibility of entering the Naval Academy be held out as an inducement for enlistment, nor does it wish it to appear that an enlistment in the Navy is a substitute for a congressional appointment. In furnishing information relative to the Naval Academy, recruiting personnel will stress the fact that the privilege of competing for the Naval Academy is incidental to the Service, and those who fail to meet either the mental or physical standards (the latter being more stringent than those for enlistment), or who are not included in the annual quota of one hundred successful candidates from the Navy and Marine Corps allowed by law for appointment, will be required to complete their terms of enlistment.

(m) *Administrative discharges from C. C. C.* No man who has received an administrative discharge from the Civilian Conservation Corps will be enlisted without authority from the Bureau of Naval Personnel. [Pars. 8-121 to 8-134]

§ 3.11 *Enlistment papers—(a) Application.* The original application for enlistment, NRB Form 24, will be filled in by the applicant in his own handwriting in ink, with the exception of the section on physical examination on the third page which will be completed by the medical examiner.

(b) *Consent papers.* All copies of the Consent papers, NRB Form 18, must be signed and witnessed.

(c) *Release from National Guard or other military service.* No member of the National Guard, Naval Militia, Marine Corps Reserve, or Civilian Conservation Corps shall be enlisted until after some form of release from his obligation has been obtained. Release is construed to mean either his actual discharge or a letter or telegram stating that his discharge will be issued.

(d) *Naval Academy Waiver.* Recruiting officers will require all applicants who are within the age limits for entry to the Naval Academy to read and sign NRB Form 46, Naval Academy Waiver.

(e) *Home investigations.* Much may be learned about the character of an applicant and his family by careful home investigations. The Recruiting Officer, at his discretion, shall require recruiters to conduct thorough home investigations of applicants.

(f) *Service numbers.* Groups of service numbers are issued by the Bureau to main recruiting stations for assignment to recruits. Service numbers of naval reservists will be retained upon their enlistment in the Regular Navy.

(g) *Crediting of enlistment.* Each enlistment will be credited to the Congressional District and State in which the man has a permanent home.

(h) *Verification of lost discharge.* In requesting verification of service of men who have lost their discharges from the Navy, Army, Marine Corps or Coast Guard, the following information must be submitted to the Bureau of Naval Personnel:

(1) NAVY: Name in full, including the middle name; rating, date and place of en-

listment, date and place of discharge, and service number, if possible.

(2) ARMY: Name in full, including middle name; rank, date and place of enlistment, date and place of discharge, serial number, if possible, and organization, including company or similar subdivisions, from which discharged. If discharged from a casual company, statement should be made of last organization of service. It is particularly important that requests for verification of Army service contain a statement of organization, including company, battery, troop, squad, or similar subdivision in which the man served, and the approximate dates of such service.

(3) MARINE CORPS AND COAST GUARD: Name in full, including middle name; rank, and places and dates of enlistment and discharge.

(i) *Full name and service number.* As the files of the Bureau of Naval Personnel contain many identical names, with similar initials, identification is impossible without the full name and service number.

(j) *Forged papers.* There have been cases of forged consent papers submitted by minors living in the same city in which the recruiting station is located, wherein the alleged signatures of both parent and notary were in the same hand. The Bureau considers that to enlist a person under such conditions is inexcusable.

(k) *Oaths.* The oath of allegiance will be administered with fitting solemnity, and recruiting officers should impress upon recruits the seriousness of its nature. [Pars. 8-141 to 8-150, 8-154]

§ 3.12 *Enlistments for U. S. Navy School of Music—(a) Qualifications.* Qualifications for enlistment are the same as for other first enlistments, except that applicant must be a graduate of high school or have equivalent education.

(b) *General procedure.* Application blanks, furnished by the Recruiting Bureau, must be filled out and forwarded to the Officer in Charge, U. S. Navy School of Music, Navy Yard, Washington, D. C. Should the information thereon warrant the applicant being given a musical examination, the officer in charge of the recruiting station covering the district in which the applicant resides will be requested to complete all preliminaries to enlistment and notify him when to appear for mental and physical examinations. If found qualified for enlistment, he will be certified to the Officer in Charge, U. S. Navy School of Music who will advise the recruiting officer when applicant is to be called for transfer to the Navy Yard, Washington, D. C., for musical examination. Upon successful completion of the musical examination, he will be enlisted at Navy Recruiting Substation, Washington, D. C., and transferred to a designated Naval Training Station, for recruit training covering only the detention period of three weeks, after which he will be transferred to the Navy Yard, Washington, D. C., to enter the School of Music.

(c) *Transportation.* Any transportation involved in reporting to the main recruiting station in whose district the applicant resides (and return transportation in the event the applicant is found not qualified) must be paid by the applicant. Government transportation and

subsistence en route will be furnished from the recruiting station to Washington, D. C., and, in the event of failure to qualify there, return transportation will be furnished to place of residence.

(d) *Preparation of enlistment papers.* Upon receipt of notification from the Officer in Charge of the School that an applicant is considered eligible for the musical examination, all enlistment papers will be prepared the same as for other enlistments, except for date and place of enlistment and signatures of the applicant and the recruiting officer. These prepared papers will then be forwarded by air mail or special delivery to the Officer in Charge, Navy Recruiting Station, Washington, D. C., for completion when the enlistment is consummated.

(e) *Transfer of applicants.* Applicants who have been examined and have qualified for enlistment will be advised to take all their instruments to Washington. No applicant will be transferred to arrive on Saturday or Sunday and should arrive as early in the morning as practicable.

(f) *Failure of applicants to be reported.* If an applicant fails to qualify for enlistment the Officer in Charge, U. S. Navy School of Music, will be informed in order to make further selections.

(g) *Waivers.* Waivers for School of Music applicants may be submitted in the same manner as for other first enlistments.

(h) *Service numbers.* Service numbers will be assigned School of Music applicants before transfer to Washington. In the event of failure, the Officer in Charge, School of Music, will inform the recruiting officer in order that service numbers may be re-issued.

(i) *Personal Identification Form.* School of Music applicants will not be transferred to Washington until the return of papers in connection with Personal Identification, U. S. Navy. [Pars. 8-171 to 8-179]

§ 3.13 *Steward's Mates*—(a) *Qualifications.* Qualifications for Steward's Mate third class are in general the same as for apprentice seamen.

(b) *Enlistment and transfer.* Steward's Mates shall be enlisted and transferred as directed by the Bureau.

(c) *General Classification Tests.* No qualifying mark on General Classification Test is established. Recruiting officers may enlist applicants who obtain below 50 in the test if they are of the opinion that other characteristics offset the low General Classification Test mark.

(d) *Selectivity.* Great care shall be exercised by recruiting officers in selecting men for Steward's Mate ratings.

(e) *Personal Identification Form.* Personal Identification Form, U. S. Navy, will be handled in the same manner as for other enlistments. [Pars. 8-181, 8-183 to 8-186]

JAMES FORRESTAL,  
Acting Secretary of the Navy.

[F. R. Doc. 43-17988; Filed, November 6, 1943; 10:16 a. m.]

PART 6—NAVAL RESERVE

MEDICAL OFFICERS, VOLUNTEER RESERVE

Paragraph (b) (6) of § 6.2311 is amended to read as follows:

§ 6.2311 *Medical officers, Volunteer Reserve (Special Service), Class MC-V (S).* \* \* \*

(6) Evidence of qualification in a specialty; or a statement indicating satisfactory completion of internship. [Manual Circular Letter No. 26-43, Oct. 4, 1943]

(52 Stat. 1175, 54 Stat. 162, 55 Stat. 3, 56 Stat. 266, 730, 739; 34 U.S.C. 853, 854e, Supp. 855f, 855o, 857-857g, 858e, 855d)

JAMES FORRESTAL,  
Acting Secretary of the Navy.

[F. R. Doc. 43-17987; Filed, November 6, 1943; 10:16 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office  
(Appendix<sup>2</sup>)

[Public Land Order 192]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS AERIAL GUNNERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943 (8 F.R. 5516), it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as an aerial gunnery range:

GILA AND SALT RIVER MERIDIAN

- T. 25 N., R. 13 W.,  
Sec. 5, lot 1;  
Sec. 6, lots 1 to 5, inclusive, S½NW¼, SW¼, W½SE¼;  
Sec. 7;  
Sec. 8, lots 1, 2, 3, SW¼NW¼, SW¼, SW¼SE¼;  
Sec. 17, NW¼NW¼;  
Sec. 18, N½, NE¼SW¼, NW¼SE¼;  
Secs. 30 and 31.
- T. 26 N., R. 13 W.,  
Sec. 31, lot 1.
- T. 24 N., R. 14 W.,  
Secs. 1 to 22, inclusive, and secs. 28 to 30, inclusive.
- T. 25 N., R. 14 W.,
- T. 26 N., R. 14 W.,  
that part south and west of the line shown as the boundary of the Hualapai Indian Reservation on the plat of survey accepted April 12, 1902.
- T. 27 N., R. 14 W.,  
that part south and west of the line shown as the boundary of the Hualapai Indian Reservation on the plat of survey accepted April 12, 1902.
- T. 23 N., R. 15 W.,  
Secs. 3 to 9, inclusive, and secs. 17 to 19, inclusive.
- T. 24 N., R. 15 W.,  
Secs. 1 to 35, inclusive.
- Tps. 25 and 26 N., R. 15 W.,

- T. 27 N., R. 15 W.,  
that part south and west of the line shown as the boundary of the Hualapai Indian Reservation on the plat of survey accepted April 12, 1902.
- T. 28 N., R. 15 W.,  
Sec. 29, that part west of the line shown as the boundary of the Hualapai Indian Reservation on the plat of survey accepted April 12, 1902;  
Secs. 30 and 31;  
Sec. 32, that part west of the line shown as the boundary of the Hualapai Indian Reservation on the plat of survey accepted April 12, 1902;  
Sec. 33, that part south and west of the line shown as the boundary of the Hualapai Indian Reservation on the plat of survey accepted April 12, 1902.
- T. 23 N., R. 16 W.,  
Secs. 1 to 5, inclusive;  
Sec. 6, lots 1 to 13, inclusive, and Lots 17 and 18, S½NE¼, SE¼;  
Sec. 7, Lots 1 and 8, NE¼, N½SE¼, SE¼, SE¼;  
Secs. 8 to 16, inclusive;  
Sec. 17, E½, E½NW¼, NW¼NW¼, NE¼, SW¼;  
Sec. 21, N½, NE¼SW¼, SE¼;  
Secs. 22 to 26, inclusive;  
Sec. 27, N½, N½SW¼, SE¼SW¼, SE¼;  
Sec. 28, E½NE¼, NW¼NE¼.
- Tps. 24 to 27 N., R. 16 W.
- T. 28 N., R. 16 W.,  
Secs. 25 to 36, inclusive.
- T. 23 N., R. 17 W.,  
Sec. 1, Lot 1.
- T. 24 N., R. 17 W.,  
Secs. 1 to 4, inclusive;  
Sec. 5, Lots 1 to 4, inclusive, NE¼SW¼, SE¼;  
Sec. 8, NE¼NE¼;  
Sec. 9, N½, E½SW¼, SE¼;  
Secs. 10 to 16, inclusive;  
Sec. 16, E½NE¼, NW¼NE¼;  
Sec. 22, NE¼, NE¼NW¼, NE¼SE¼;  
Secs. 23 to 25, inclusive;  
Sec. 26, NE¼, E½NW¼, E½SE¼, NW¼, SE¼;  
Sec. 26, Lots 1 and 2, NE¼, N½NW¼, SE¼, NW¼, N½SE¼.
- T. 25 N., R. 17 W.,  
Secs. 1 to 29, inclusive;  
Sec. 30, Lots 1, 2, 3, E½, E½NW¼, E½SW¼;  
Sec. 31, N½NE¼, SE¼NE¼, NE¼SE¼;  
Secs. 32 to 36, inclusive.
- T. 26 N., R. 17 W.,
- T. 27 N., R. 17 W.,  
secs. 10 to 16, inclusive, and secs. 20 to 36, inclusive.
- T. 25 N., R. 18 W.,  
secs. 1 to 3, inclusive;  
sec. 4, lots 1 and 2, S½NE¼;  
sec. 10, NE¼, NE¼NW¼, N½SE¼, SE¼, SE¼;  
secs. 11 to 13, inclusive;  
sec. 14, E½, N½NW¼, SE¼NW¼;  
sec. 23, NE¼NE¼;  
sec. 24, N½, NE¼SW¼, SE¼;  
sec. 25, E½NE¼.
- T. 26 N., R. 18 W.,  
secs. 1 and 2;  
secs. 10 to 17, inclusive, and secs. 20 to 26, inclusive;  
sec. 29, N½, NE¼SW¼, SE¼;  
sec. 32, N½NE¼, SE¼NE¼;  
sec. 33, N½, N½SW¼, SE¼SW¼, SE¼;  
secs. 34 to 36, inclusive.
- T. 27 N., R. 18 W.,  
sec. 36.

The area described, including both public and non-public lands, aggregates 362,161.62 acres.

This order shall take precedence over but not modify (1) the order of March 6, 1936, of the Secretary of the Interior, establishing Arizona Grazing District No. 2, and (2) the reservation for public use made by the Executive order of April 17,

<sup>1</sup> 8 F.R. 9668.  
<sup>2</sup> Formerly cited as Part 298.

1926 (Public Water Reserve No. 107), so far as such orders affect any of the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487<sup>2</sup> of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,  
Acting Secretary of the Interior.

NOVEMBER 2, 1943.

[F. R. Doc. 43-18026; Filed, November 8, 1943;  
10:19 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

##### 1943 REVISION

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 1st day of May A. D. 1943.

The matter of a uniform system of accounts for steam railroads being under consideration,

And it appearing, that by orders issued on May 19, 1914, the Interstate Commerce Commission prescribed the "Classification of Investment in Road and Equipment of Steam Roads, Issue of 1914"; the "Classification of Operating Revenues and Operating Expenses of Steam Roads, Issue of 1914"; and the "Classification of Income, Profit and Loss, and General Balance Sheet Accounts for Steam Roads, Issue of 1914";

And it further appearing, that since the effective date of said regulations, various supplemental orders have been issued in which changes were made in certain provisions of the original orders;

And it further appearing, that because of the numerous requests for copies of the original orders and amendments thereto; and in order to simplify them for ready reference, it is desirable and appropriate that the original orders and the several amendments thereto be consolidated and published in revised form;

It is ordered, That the classifications prescribed by orders of May 19, 1914, as revised and supplemented, which orders are referred to and made a part hereof be, and they are hereby, published in revised form to be known as the "Uniform System of Accounts for Steam Railroads, Issue of 1943."<sup>1</sup>

It is further ordered, That all carriers by railroad (except those independently

operated as electric lines), herein referred to as steam roads, subject to the provisions of the Interstate Commerce Act, and every trustee, executor, administrator, or assignee of any such carrier be, and they are hereby, required to comply with the "Uniform System of Accounts for Steam Railroads, Issue of 1943."

And it is further ordered, That notice of this order shall be given to all steam roads and to the public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-18059; Filed, November 8, 1943;  
11:23 a. m.]

#### [Service Order 96-B]

#### PART 95—CAR SERVICE

##### REROUTING OF MACHINERY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of November, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 96 of November 20, 1942,<sup>1</sup> and Service Order No. 96-A of February 6, 1943,<sup>1</sup> and good cause appearing therefor:

It is ordered, That (a) Service Order No. 96 permitting the rerouting of ten carloads of machinery to be moved from Newport News, Virginia, to the Grand Coulee Power Plant, Odair, Washington, be, and it is hereby, vacated and set aside.

(b) Service Order No. 96-A, permitting the rerouting of fifteen carloads of machinery from Newport News, Virginia, to the Grand Coulee Power Plant, Odair, Washington, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective at 12:01 a. m., November 8, 1943; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.  
[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-18008; Filed, November 6, 1943;  
11:35 a. m.]

#### [S. O. 120-G]

#### PART 95—CAR SERVICE

##### BITUMINOUS COAL

At a session of the Interstate Commerce Commission, Division 3, held at

<sup>1</sup> Not filed with the Division of the Federal Register.

its office in Washington, D. C., on the 6th day of November, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 120 (8 F.R. 5761) of April 30, 1943, as amended (8 F.R. 15198), and good cause appearing therefor:

It is ordered, That:

Section 95.11 *Bituminous coal*. This section, as amended, is hereby suspended, effective at 11:00 a. m., War Time, November 6, 1943, until further order of the Commission.

It is further ordered, That copies of this order shall be served upon all common carriers by railroad subject to the Interstate Commerce Act, upon all state Commissions, and upon The Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-18060; Filed, November 8, 1943;  
11:23 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service

#### PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

##### WHITE RIVER NATIONAL WILDLIFE REFUGE, ARKANSAS

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.3 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

Section 25.966a *White River National Wildlife Refuge, Arkansas; commercial fishing*, is amended by striking out paragraph (b) *State fishing laws* and inserting in lieu thereof the following:

(b) *State fishing laws*. Any person who fishes commercially within the refuge must comply with the applicable fishing laws and regulations of the State of Arkansas, except that the use of heart and lead nets is not permitted during the period from February 1 to April 30, inclusive. Picnic seining is not permitted at any time, and the Director of the Fish and Wildlife Service may further restrict the type of gear that may be used for commercial fishing.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.  
OCTOBER 26, 1943.

[F. R. Doc. 43-18023; Filed, November 8, 1943;  
10:19 a. m.]

<sup>1</sup> Filed as part of the original document. Copies may be obtained from the Interstate Commerce Commission.

<sup>2</sup> 6 F.R. 2617.

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Five-Acre Tract Classification 33]

LOS ANGELES, CALIFORNIA

LAND OPEN FOR LEASING

Correction

In F.R. Doc. 43-17536, appearing on page 14767 of the issue for Saturday, October 30, 1943, the land description should read as follows:

T. 15 S., R. 7 E., sec. 3, N $\frac{1}{2}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , 600.76 acres.

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 784]

ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 1, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
New York 4020S1 Delaware.....	\$15,000
New York 4023S1 Chautauqua.....	10,000
New York 4024S1 Oneida.....	10,000

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 43-17991; Filed, November 6, 1943; 11:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts, and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R.

4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

APPAREL INDUSTRY

Crescent Neckwear Company, 355 Marietta Street, Atlanta, Georgia; men's and boys' neckties; 5 learners (T); effective November 5, 1943, expiring November 4, 1944.

The Manhattan Shirt Company, 60 Hill Street, Greenwich, New York; men's cotton underwear; 5 percent (T); effective November 6, 1943, expiring November 5, 1944.

Taneytown Manufacturing Company, Taneytown, Maryland; men's coats, vests and pants; 5 percent (T); effective November 2, 1943, expiring November 1, 1944.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Anita Dress Company, Inc., 20-22 Hillside Avenue, Edwardsville, Pennsylvania; cotton and rayon dresses; 64 learners (E); effective November 3, 1943, expiring May 2, 1944.

The Baker Manufacturing Company, 319 $\frac{1}{2}$  East Main Street, Chanute, Kansas; cotton dresses; 16 learners (AT); effective November 3, 1943, expiring May 2, 1944.

Michael Berkowitz Company, Barton Mill Road, Uniontown, Pennsylvania; men's shirts and pajamas; 10 percent (AT); effective November 3, 1943, expiring March 8, 1944.

Big Ace Manufacturing Corporation, Thomas Street, Athens, Georgia; jackets and overalls; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Blue Jean Manufacturing Company, 315 Cherry Street, Scranton, Pennsylvania; trousers; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

The Brunner Company, 3911 Cleveland Avenue, Ashtabula, Ohio; women's government service uniforms, slacks, slacksuits, and daytime apparel; 20 percent (AT); effective November 6, 1943, expiring May 5, 1944.

Carwood Manufacturing Company, Winder, Georgia; shirts and trousers; 10 percent (T); November 6, 1943, expiring November 5, 1944.

Congress Shirt Company, 831 Middle Street, Bath, Maine; men's and boys' apparel; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

Elder Manufacturing Company, Webb City, Missouri; boys' dress shirts and blouses; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Ely and Walker Lingerie Plant, Warrenton, Missouri; ladies' slips, panties, gowns and pajamas; 10 learners (T); effective November 6, 1943, expiring November 5, 1944.

Eureka Pants Manufacturing Company, Depot Street, Shelbyville, Tennessee; cotton work pants; 10 percent (T); effective November 2, 1943, expiring November 1, 1944.

M. Fine and Sons Manufacturing Company, Inc., 8th and Spring Streets, Jeffersonville, Indiana; pants; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

M. Fine and Sons Manufacturing Company, Inc., 15th and Main Streets, New Albany, Indiana; cotton work shirts; 15 percent (AT); effective November 6, 1943, expiring May 5, 1944.

Fishman and Tobin, Broad and Carpenter Streets, Philadelphia, Pennsylvania; infants' and boys' wash suits; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

Fretz Brothers, 710 Central Street, Kansas City, Missouri; white suit coats, pants, aprons, towels, caps, etc.; 2 learners (T); effective November 3, 1943, expiring November 2, 1944.

Harrisburg Childrens Dress Company, 14th and Howard Streets, Harrisburg, Pennsylvania; children's dresses; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

Kentucky Pants Company, 117 North Race Street, Glasgow, Kentucky, men's work pants; 10 per cent (T); effective November 6, 1943, expiring November 5, 1944.

Kleeson Company, Jefferson Avenue, Moundsville, West Virginia; semi-dress and boys' work pants; 30 learners (AT); effective November 3, 1943, expiring May 2, 1944.

Kolodney & Myers, Inc., Railroad Street, Winchendon, Massachusetts; rayon, cotton dresses; 10 percent (T); effective November 8, 1943, expiring November 7, 1944.

J. Libman & Son, 94 Fulton Street, Paterson, New Jersey; ladies' underwear and pajamas; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

S. Liebovitz & Sons, Inc., Duplan Building, Hazleton, Pennsylvania; men's dress and sport shirts; 50 learners (E); effective November 3, 1943, expiring May 2, 1944.

(This certificate replaces the special learner certificate previously issued, effective October 9, 1943, and expiring October 8, 1944.)

Lin-Dol Dress Company, First National Bank Building, Patton, Pennsylvania; children's and ladies' dresses and blouses; 10 learners (T); effective November 5, 1943, expiring May 5, 1944. (This certificate replaces the certificate previously issued, effective May 5, 1943 and expiring May 5, 1944.)

H. Linsk & Company, Clayton Plant, Clayton, New Jersey; children's cotton dresses; 6 learners (T); effective November 8, 1943, expiring November 7, 1944.

H. Linsk & Company, Inc., Penns Grove, New Jersey; children's cotton dresses; 7 learners (T); effective November 8, 1943, expiring November 7, 1944.

H. Linsk & Company, Inc., Woodbury, New Jersey; children's cotton dresses; 5 learners (T); effective November 8, 1943, expiring November 7, 1944.

MacSmith Garment Company, Inc., 28th Street, Gulfport, Mississippi; cotton dress shirts, O. D. army shirts; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

McAdoo Sportswear Company, Inc., 125 South Tamaqua Street, McAdoo, Pennsylvania; women's work clothes, ladies' and children's garments; 15 percent (AT); effective November 3, 1943, expiring May 2, 1944.

Malouf-Holmes Manufacturing Company, 115 South Poydras Street, Dallas, Texas; ladies' blouses, dresses, and jumpers; 3 learners (T); effective November 6, 1943, expiring November 5, 1944.

Norris Manufacturing Company, Taylors, South Carolina; men's sport shirts, and slacks; 15 percent (AT); effective November 3, 1943, expiring May 2, 1944.

Rice-Stix Drygoods Company, Factory #3, Blytheville, Arkansas; men's woven underwear, work shirts, dress shirts and pajamas; 20 percent (AT); effective November 6, 1943, expiring May 5, 1944.

Salant & Salant, Inc., Henderson, Tennessee; cotton work shirts; 10 percent (T); effective November 8, 1943, expiring November 8, 1944.

Salant & Salant, Inc., Obion, Tennessee, cotton work shirts; 10 percent (T); effective November 17, 1943, expiring January 16, 1944.

Smith-Levin-Harris, Inc., Lopez, Pennsylvania; men's pajamas; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Southland Manufacturing Company, Inc., 204 Greenfield Street, Wilmington, North Carolina; shirts, army, and commercial; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Stone Manufacturing Company, 25 East Court Street, Greenville, South Carolina; slippers, aprons, sun suits, underwear, pajamas; 20 percent (AT); effective November 3, 1943, expiring May 2, 1944.

Tuxall Uniform Manufacturing Company, 3704 Downing Street, Denver, Colorado; coveralls, work pants, leg aprons, service coats; 4 learners (T); effective November 3, 1943, expiring November 2, 1944.

Union Manufacturing Company, 901 East Missouri Street, El Paso, Texas; cotton work pants and shirts; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Waldman & Greenberg, 223 Pratt Street, Hammon, New Jersey, men's trousers; 20 learners (T); effective November 6, 1943, expiring November 5, 1944.

#### GLOVE INDUSTRY

The Boss Manufacturing Company, Ravenworth, Kansas; work gloves; 40 learners (E); effective November 5, 1943, expiring May 4, 1944.

The Boss Manufacturing Company, Chillicothe, Missouri; work gloves; 36 learners (E); effective November 5, 1943, expiring May 4, 1944.

Monte Glove Company 34-38 East Jackson Street, Shelbyville, Indiana; cotton gloves, jersey gloves; 10 learners (AT); effective November 2, 1943, expiring April 1, 1944. (This certificate replaces the one previously issued effective January 4, 1943, and expiring January 4, 1944.)

#### HOSIERY INDUSTRY

Charles H. Bacon Company, Lenoir, Tennessee; seamless hosiery, 10 percent (AT); effective November 13, 1943, expiring May 12, 1944.

Bland Silk Hosiery Mill, Inc., Bland, Virginia; full-fashioned hosiery; 5 learners (T); effective November 6, 1943, expiring November 5, 1944.

Cherokee Hosiery Mill, Murphy, North Carolina; full-fashioned hosiery; 15 learners (E); effective November 8, 1943, expiring May 7, 1944.

Farmers Mill, Carrollton, Georgia; seamless hosiery; 8 learners (E); effective November 6, 1943, expiring May 5, 1944.

Fay Hosiery Mills, Inc., East Avenue, Elyria, Ohio; seamless hosiery; 5 learners (T); effective November 6, 1943, expiring November 5, 1944.

Georgia Hosiery Mills, Blakely, Georgia; seamless hosiery; 12 learners (AT); effective November 3, 1943, expiring May 2, 1944.

Jackson Hosiery Mill, Jackson, Missouri; full-fashioned hosiery; 5 learners (T); effective November 3, 1943, expiring November 2, 1944.

Maurice Mills Company, Inc., Taylor Street, Thomasville, North Carolina; seamless hosiery (AT); 10 percent; effective November 3, 1943, expiring May 2, 1944.

Norris Hosiery Mill, Cleveland, Tennessee; seamless hosiery; 5 learners (AT); effective November 20, 1943, expiring May 19, 1944.

Phoenix Hosiery Company, 320 East Buffalo Street, Milwaukee, Wisconsin; full-fashioned and seamless hosiery; 10 percent (AT); effective November 8, 1943, expiring May 7, 1944.

Rutledge Hosiery Mills Company, Inc., Rutledge, Tennessee; seamless hosiery; 10 learners (AT); effective November 6, 1943, expiring May 5, 1944. (This certificate is issued to replace the certificate previously issued, effective November 6, 1943, expiring April 26, 1944.)

Rutledge Hosiery Mills Company, Inc., Rutledge, Tennessee; seamless hosiery; 10 percent (AT); effective November 6, 1943, expiring April 26, 1944. (This Certificate is issued to replace the one previously issued effective October 27, 1943 and expiring April 26, 1944.)

Spalding Knitting Mills, Broad Street, Griffin, Georgia; seamless hosiery; 15 percent (AT); effective November 3, 1943, expiring May 2, 1944.

Terry Hosiery Company, 600 South Hamilton Street, High Point, North Carolina; seamless hosiery; 8 learners (AT); effective November 3, 1943, expiring May 2, 1944.

Vestal Mills, Inc., Athens, Tennessee; seamless hosiery; 15 learners (AT); effective November 10, 1943, expiring May 9, 1944.

Waldensian Hosiery Mills, Inc., Valdese, North Carolina; ladies' seamless hosiery, men's socks; 10 percent (AT); effective November 3, 1943, expiring May 2, 1944.

#### TEXTILE INDUSTRY

Eagle and Phenix Mills, 1225 Front Avenue, Columbus, Georgia; cotton woven textile fabrics; 3 percent (T); effective November 6, 1943, expiring November 5, 1944.

Juliette Milling Company, Juliette, Georgia; cotton yarn and twine; 5 percent (AT); effective November 3, 1943, expiring May 2, 1944.

Kingston Chenille Company, Inc., Kingston, Georgia; cotton chenille bedspreads; 5 learners (T); effective November 3, 1943, expiring November 2, 1944.

Oconee Mills, Inc., Westminster, South Carolina; cotton yarns, cotton sheet-blankets; 6 percent (AT); effective November 3, 1943, expiring May 2, 1944.

#### CIGAR INDUSTRY

Cuban Cigar Company, 717 Main Street, Joplin, Missouri; hand and machine-made cigars; 10 percent (T); effective November 6, 1943, expiring November 5, 1944.

John H. Swisher & Son, Inc., Quincy, Florida; cigars; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

Signed at New York, N. Y., this 6th day of November 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-18065; Filed, November 8, 1943; 11:21 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the dates specified in each listed item below.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employer's representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of the Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Bristol Paper Box Company, Inc., 1305 West State Street, Bristol, Virginia; set-up paper boxes; 2 learners (T); staying and ending, stripping and topping for a learning period of 240 hours at 35 cents an hour; effective November 7, 1943, expiring May 8, 1944.

The Budget Press, South Ellsworth Avenue, Salem, Ohio; religious calendars; 4 learners (T); printer for a learning period of 480 hours at 35 cents for 240 hours and 37½ cents for 240 hours; stitcher and collator for a learning period of 160 hours at 35 cents an hour; effective November 8, 1943, expiring May 8, 1944.

Church Budget Envelope Company, 271 South Ellsworth Avenue, Salem, Ohio; 4 learners (T); church envelopes; envelope machine operator for a learning period of 160 hours for 35 cents an hour; effective November 8, 1943, expiring May 8, 1944.

George T. Lye, 5114-16 Lancaster Avenue, West Philadelphia, Pennsylvania; furniture; 2 learners (T); sander for a learning period of 160 hours at 35 cents an hour; effective November 3, 1943, expiring January 5, 1944.

Rio Grande Button Factory, 410 Illinois Street, Mercedes, Texas; fresh water pearl buttons; 6 learners (T); cutter for a learning period of 480 hours at 30 cents for the first 320 hours and 35 cents for the next 160 hours; effective November 11, 1943, expiring May 11, 1944.

J. F. Wieder & Son, 36 Church Street, Macungie, Pennsylvania; set-up paper boxes; 2 learners (T); staying machine operator and flyer machine operator for a learning period of 240 hours at 35 cents an hour; effective November 3, 1943, expiring May 3, 1944.

Signed at New York, N. Y., this 6th day of November 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-18064; Filed, November 8, 1943; 11:21 a. m.]

## CIVIL AERONAUTICS BOARD.

[Docket No. 1106]

WESTERN AIR LINES, INC.

## NOTICE OF HEARING

In the matter of the application of Western Air Lines, Inc., under section 408 (b) of the Civil Aeronautics Act of 1938 for approval of the acquisition of control by Western Air Lines, Inc., of Inland Air Lines, Inc., and approval of the merger of Inland Air Lines, Inc., into Western Air Lines, Inc., or the purchase by Western Air Lines, Inc., of all the assets of Inland Air Lines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on November 13, 1943, at 10 a. m. (e. w. t.) in Conference Room C of the Departmental Auditorium, Constitution Ave., between 12th and 14th Streets, N. W., Washington, D. C., before Examiner Thomas L. Wrenn.

Dated Washington, D. C., November 4, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 43-18027; Filed, November 8, 1943;  
10:34 a. m.]

[Docket No. 458]

PAN AMERICAN AIRWAYS, INC.

## NOTICE OF ORAL ARGUMENT

In the matter of the petition of Pacific Alaska Airways, Inc. (now, by merger, Pan American Airways, Inc.) for an order fixing and determining the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on November 17, 1943, 10 a. m. (e. w. t.) in Room 5042 Commerce Building, 14th St. and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., November 4, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOMBS,  
Secretary.

[F. R. Doc. 43-18028; Filed, November 8, 1943;  
10:34 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6561]

STATE OF MICHIGAN

## NOTICE OF HEARING

In the matter of application of the State of Michigan, filed October 13, 1943, for construction permit for State Police radio station to be located at Sault Ste. Marie, Michigan. File No. T2-PP-6652-S.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. the 2nd day of November, 1943;

The Commission, having under consideration an application of the State of Michigan for construction permit for a State Police radio station to be located at Sault Ste. Marie, Michigan, and various facts and circumstances evidencing a disposition on the part of the applicant to ignore the necessity for compliance with the Communications Act of 1934, as amended, and this Commission's rules and regulations with respect to the construction, use, and operation of radio stations; and

It appearing to the Commission that the applicant has not satisfactorily demonstrated that the proposed station will serve an essential military need or a vital public need, which cannot otherwise be met, as required by the Commission's Memorandum Opinion of July 7, 1942;

It is ordered, That a public hearing be held at a place to be hereafter designated in the City of Lansing, Michigan, commencing at 10:00 a. m. on November 30, 1943, for the purpose of investigating and determining:

1. Whether the station for which a construction permit is now sought has not already been constructed, maintained, and operated in violation of law, and if such construction, maintenance, and operation have taken place, the identity and responsibility of the Michigan State officials under whose supervision and with whose knowledge such acts occurred.

2. The identity and responsibility of the Michigan State officials having any relation to the construction, maintenance, and operation of radio stations used by or for the Michigan State Police and the Michigan Department of Conservation, particularly with reference to the period from about January 1, 1942 to date.

3. The nature and adequacy of existing arrangements for and on behalf of the State of Michigan to insure compliance with the requirements of the Communications Act of 1934, as amended, and the applicable rules and regulations of the Commission.

4. The adequacy and sufficiency of such corrective measures as may be undertaken for and on behalf of the State of Michigan to insure future compliance with the foregoing statute and rules and regulations.

5. Whether the proposed facilities will serve either an essential military need or a vital public need, which cannot otherwise be met, as required pursuant to the Commission's Memorandum Opinion of July 7, 1942.

6. Whether, in the light of the evidence adduced upon the foregoing issues, public interest, convenience, or necessity would be served by a grant of the application herein designated for hearing.

and to investigate such other related matters as may appear appropriate.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-17990; Filed, November 6, 1943;  
10:55 a. m.]

[Docket No. 6545-1]

PRESS WIRELESS, INC.

## ORDER GRANTING APPLICATION

In the matter of applications of Press Wireless, Inc., for modification of licenses from "fixed public press" to "fixed public" service.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 3rd day of November, 1943;

The Commission, having under consideration its notice of September 18, 1943, designating certain matters for hearing herein, and having also under consideration a petition filed on November 2, 1943, by the applicant, Press Wireless, Inc., for leave to amend its applications herein to request "fixed public" service authorization only on those circuits restricted to one American international carrier because of the war or related considerations, and for such period of time as the restriction to one American carrier prevails, and further requesting that the notice of hearing be amended to limit the issues accordingly;

It is ordered, That applicant's request for leave to amend its applications as set forth in its petition be, and it is hereby granted;

It is further ordered, That the Commission's notice of hearing of September 18, 1943, herein be, and it is hereby, amended as follows:

1. Paragraph 14 of the notice shall be deleted.

2. The remaining issues stated in the notice shall be limited to communication service to and from those foreign points restricted to one American international telegraph carrier because of the war on related considerations, and for such period of time as such restriction continues, and not thereafter.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-18007; Filed, November 6, 1943;  
11:35 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 161, Gen. Permit 1]

CITRUS FRUIT AND VEGETABLES ORIGINATING IN TEXAS

## REFRIGERATION OF MIXED SHIPMENTS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.322, 8 F.R. 14689) of Service Order No. 161 of October 27, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on any car containing a mixed shipment of citrus fruit and vegetables originating in Texas and shipped in a refrigerator car, providing that the citrus fruit in the car comprises not more than fifty (50) percent of the lading by weight.

The waybills shall show reference to this general permit.

18 F.R. 12829.

This permit shall become effective at 12:01 a. m., November 3, 1943.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this general permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of November, 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-18003; Filed, November 6, 1943;  
11:38 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2103]

#### REAL PROPERTY, INSURANCE POLICIES AND CLAIM OWNED BY ANTONIO SAMBATARO

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Antonio Sambataro is Viale Aurelio 11, Rome, Italy, and that he is a resident of Italy and a national of a designated enemy country (Italy);

2. That Antonio Sambataro is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in Washington, District of Columbia, particularly described in Exhibits A, B, C and D attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Antonio Sambataro in and to certain insurance policies particularly described in Exhibit E, attached hereto and by reference made a part hereof, covering improvements to the real property described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Antonio Sambataro in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Antonio Sambataro, by Thomas J. Fisher and Company, Incorporated, 738 15th Street, N.W., Washington, District of Columbia, and represented on the books of Thomas J. Fisher and Company, Incorporated, as a credit balance due Antonio Sambataro, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Real property situated in Washington, District of Columbia, known as 2436-2436½ Eighteenth Street, N. W., particularly described as follows:

Part of Lot numbered twenty-three (23) in Block numbered Seven (7) in Fisher, Forsythe and Young Commissioners' subdivision of land now known as "Washington Heights" as per plat thereof recorded in Liber County number Six (6) Folio One hundred and fifteen (115) of the Records

of the Office of the Surveyor of the District of Columbia, contained within the following metes and bounds, viz: Beginning for the same at the North-east corner of said Lot numbered Twenty-three (23) on the west line of Eighteenth Street Extended and running southerly along said westerly line of said Eighteenth Street Extended Twenty-five (25) feet; thence south-westerly One hundred twenty-seven and fifty hundredths (127.50) feet to the east line of the public alley; thence northerly on and with the east line of said public alley Twenty-six and ten hundredths (26.10) feet, more or less, to the north-west corner of said lot numbered Twenty-three (23), thence on and with the north line of said Lot numbered Twenty-three (23) easterly One hundred and twenty (120) feet to the place of beginning; containing Three thousand and ninety-three and seventy-five hundredths (3,093.75) square feet of land, more or less,

#### EXHIBIT B

Real property situated in Washington, District of Columbia, known as 3213½-3215-3215½ Mount Pleasant Street, N.W., particularly described as follows:

Part of Lot six hundred and twenty-five (625) in John H. Nolan's subdivision of certain lots in Block One (1) in S. P. Brown's subdivision of part of a tract of land called "Pleasant Plains" as said Nolan's subdivision is recorded in Book County No. 20, page 102 of the records of the Surveyors office of the District of Columbia the part hereby conveyed being described as follows:

Beginning at the southwest corner of said Lot and running thence easterly with the south line of said Lot; thence northerly with the east line of said Lot 30 feet; thence westerly parallel with the north line of said lot to the east line of Mt. Pleasant Street; thence southeasterly to the place of beginning; together with a right of way ten (10) feet wide and the rear part of said lot to the public alley as a private alley for the use of the property hereby conveyed, together with the improvements, rights, privileges and appurtenances to the same belonging.

#### EXHIBIT C

Real property situated in Washington, District of Columbia, known as 1795-1795½-1797 Lanier Place, N. W., particularly described as follows:

Known and distinguished as the North-easterly 10 feet front on Lanier Place by the depth of 81 feet thereof of lot numbered Fifty-two (52) and the Southwesterly 20 feet front on Lanier Place by the depth of 81 feet of lot numbered Fifty-three (53) in E. L. Dunn's subdivision known as "Lanier Heights", as per plat recorded in the Office of the Surveyor for the District of Columbia, in Liber Governor Shepherd at folio 174; subject to the restriction locating the building line at fifteen feet from the line of Lanier Place, as shown on plat recorded in said Surveyor's Office in Liber County 15 at folio 30.

#### EXHIBIT D

Real property situated in Washington, District of Columbia, known as 2016 First Street, N.W., particularly described as follows:

Lot numbered eleven (11) in Block numbered three (3) in David Moore and others' subdivision of land known as Moore and Barbour's Addition to Washington, as per plat recorded in the office of the Surveyor for the District of Columbia in Liber County 15 folio 13.

EXHIBIT E

Property	Policy No.	Company	Amount	Type	Expiration
3213 1/4-3215-3215 1/4 Mount Pleasant St., N.W.	4160	Home Plate Glass Co.		Plate Glass	7- 8-44
	8987	Connecticut Fire Insurance Co.	9,000	Fire	12-30-43
	GL-180044	Phoenix Indemnity Co.	25,50,000	Public liability	11-21-45
1795-1795 1/4-1797 Lanier Pl. N.W.	584-14-9413	War Damage Corp.	22,000	War damage	7-31-43
	162637	National Union Insurance Co.	3,000	Fire	6- 6-45
	37538	Springfield Fire & Marine Ins. Co.	1,500	Fire	12- 4-45
2436-2436 1/4 Eighteenth St. N.W.	3175	Home Plate Glass Co.		Plate glass	4-20-44
	GL-180044	Phoenix Indemnity Co.	25,50,000	Public liability	11-21-45
	584-14-9413	War Damage Corp.	22,000	War damage	7-31-43
2016 First St. N.W.	1736	Home Plate Glass Co.		Plate glass	4- 8-44
	102442	Northern Assurance Co.	5,000	Fire	8-18-45
	GL-180044	Phoenix Indemnity Co.	25,50,000	Public liability	11-21-45
	584-14-9413	War Damage Corp.	22,000	War damage	7-31-43
	162641	National Union Insurance Co.	7,000	Fire	6-18-45
	GL-180044	Phoenix Indemnity Co.	25,50,000	Public liability	11-21-45
	584-14-9413	War Damage Corp.	22,000	War damage	7-31-43

[F. R. Doc. 43-17938; Filed, November 5, 1943; 10:56 a. m.]

[Vesting Order 1759]

ACCORSI OLINDO FILM, ET AL.

Re: Copyright interests in Italian-owned motion picture films in the United States.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each of the individuals whose names and last known addresses are set forth in Exhibit A attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of, Italy and that therefore each of such individuals and companies is a national of a foreign country (Italy);

2. Finding that the Italian Government and the persons listed in said Exhibit A, jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the motion picture films in the United States owned or controlled by the Italian Government and/or the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of renewal, reversion or re-vesting, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a foreign country (Italy) and/or nationals thereof;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

Accorsi Olindo Film, Via dei Mille, 7; Bologne.  
Adria Film, Piazza della Liberta 3-A; Trieste.  
Adriatica Film, Piazza Umberto, 41; Bari.  
Adriatna Film, Via Victor-Hugo 3-Milan.

A. F. I., Via del Giardino, 42; Roma.  
A. F. N. E. Via San Nicolo da Tolentino 22A-Rome.  
A. G. Amato-Alpina-Via dei Mille-7B-Rome.  
Agenzia Noleggio Film, Via Giotta, 3; Trieste.  
Agenzia Noleggio Film, Via Giotto, 3; Trieste 8; Trieste.  
Agenzia Noleggio Film, Via Giotto, 3; Trieste, 3938; Venezia.  
Agliardi, Via Magenta 6-Turin.  
Ala Film-Via XX Settembre 58-A, Rome.  
A. L. F. A., Via Carducci, 2; Roma.  
Alleanza Cinematografica Italiana, Via Sicilia 154-Rome.  
Alleanza Cinematografica Romana, Via Boncompagni, 5; Roma.  
Ambrosio Film, 152 Via Raselle-Rome.  
Amore Sulla Alpi-Alpina Film S. A. Via Dei Mille 7-B-Rome.  
Anonima Noleggio Filmi, Via Magenta, 19-b; Roma.  
Anonima Noleggio Filmi, Via Marsala, 10; Ancona.  
Appia Film, Via Nazionale 51-Rome.  
A. P. P. I. A., Via Varese, 16-a; Roma.  
Appignani Alfredo, Via Nazionale 51-Rome.  
Aprilia Film S. A.-Via del Tritone 201, Rome.  
Ararat Film, Via Roma 23-Trieste.  
Arbor Film, Via Tor de' Conti, 17; Roma.  
Ardita Film, Via Moretto, 7; Brescia.  
Ardita-Films, Via Nazionale 54-Rome.  
Arias Film, Via Balangero 336-Turin.  
Aro, Film, 59 Via Flaminia-Rome.  
Arte Cinematografica Internazionale, 333 Corso Umberto-Rome.  
Artisti Associati, S. A. I., Via del Quirinale 22-Rome.  
Artisti Associati S. A. I., Via Lagrange 29-Turin.  
Artisti Associati S. A., Via XX Settembre, 11; Roma.  
Artisti Associati (United Artists), Via Settembre 11-Roma.  
Arts Florentina Films Via Pecori 1-Florence.  
Astoria Film, Piazza degli Affari, 4-Milan.  
Astoria Films, Via degli Affari, 4; Milano.  
Astra Film, Via Boncompagni, 5; Roma.  
Astra Film-Via Po. 50; Rome.  
Astrea Films Soc. An., Via C. Battisti, 53; Napoli.  
Astrea Films, Via Caduti Fascisti, 11-13; Bari.  
Astrea Films, Via Sant' Euplio, 32; Catania.  
Ateliers "Cines" (Soc. An. Stefano Pittaluga), Via Veio 51-Rome.  
Atelier "Italia" (S. A. Stefano Pittaluga), Via Luisa del Carretto 187-Turin.  
Ateliers "Palatino Film" (Soc. An. Stefano Pittaluga), Piazza S. Giovanni e Paulo 8-Rome.  
Atlas Films, Via Lucrezio Caro, 12-Rome.  
Attendoli di Cottignola Conte Galeazzo, Via Mondovi 33-Rome.  
Auera Film, Via Pomba, 14; Torino.  
Augustus Film, Via Cola de Rienzo 152-Rome.  
Augustus-Films, Via Ulpiano 42, Rome.  
Aurea Film, Via Avignoneti 32-Rome.  
Aurora Film, Via Farini, 10-Milan.  
Ausonia Film, Via Ludovisi, 36; Roma.  
Azzuri Film, Via Cavour 12-Florence.  
Ballo Manlio, Via A. di Sangiuliano, 183; Catania.  
Banti Antonio, Via del Sole, 7; Firenze.  
Baracchini Films Soc. An., Via Malta, 22/r; Genova.  
Barattolo Comm. Gaetano, Circonvallazione Appia 101-Rome.  
Barattolo On. Dott. Giuseppe, Circonvallazione Appia 101-Rome.  
Barbieri Cariddi Creste', Via Aureliana, 53; Roma.  
Bernasconi Giacoma, San Luca Galle Lore-dan, 4147; Venezia.  
Besozzi Avv. Angelo, Via Firenze 11-Rome.

- Bevilacqua G., Via de Pinedo, 2-e; Ancona.  
 B. M. Films S. A., Via Boschetti, 1; Milano.  
 Bonotti, Fernando, Via Firenze 47—Rome.  
 Borelli A., Via Pietramellara, 45; Bologna.  
 Bosco and Co., A., Via Aureliana 12—Rome.  
 Brix Film, Vorso Magenta, 20; Brescia.  
 Brixia Film Corso Cavour 10—Brescia.  
 Brovelli Films, Corso Venezia, 13; Milano.  
 Brovelli Films, S. A., Corso Venezia 13—Milan.  
 Brovelli Mario, Corso Venezia 13—Milan.  
 Brundus Films, Via Senato 8—Milan.  
 Caesar-Film, Circonvallazione Appia no. 101, Rome.  
 Capitani Film—Via del Mille 12 m. Rome.  
 Capitanica-Films, Via XX Settembre 3, Rome.  
 Capitolium Film, Via Curtatone, 6; Rome.  
 Carpentiere Cav. Alfredo, Via XX Settembre 44—Rome.  
 Carrescia & Abbati, Via Finanzé 6—Rome.  
 Cartellieri Film, Via Felice Cavallotti 4—Milan.  
 Casetta, Rog. Virginia, Via Santa Maria 6—Turin.  
 Cazzalino Barone Cav. Domenico, Via Nazionale 18—Rome.  
 C. C. E., Palazzo Arcivescovile; Genova.  
 C. C. E., Palazzo Morosini; Venezia.  
 C. C. E. P., Via Faleocappa, 4; Bergamo.  
 C. C. E., Via Cavour, 24; Torino.  
 C. C. E., Via Fatebenefratelli, 21; Milano.  
 C. C. E., Via Pietramellara; Bologna.  
 C. C. E., Via Tagliaferrri, 6; Brescia.  
 Centrale Cinematografica, Via Aureliana 144—Rome.  
 Cervino Film, Via S. Teresa; Torino.  
 Cervino Films, Via S. Teresa 12—Turin.  
 Cianci Fratelli, Via Camperio 7; Milano.  
 C. I. F., Via Sicilia, 160; Roma.  
 Cine Fono Film, Via Brunelleschi, 2; Firenze.  
 Cine Fono Film, Via Montebello, 6; Bologna.  
 Cine Film, Via Principe Umberto 30—Milan.  
 Cines-Pittaluga, Via Vejo 51, Rome.  
 Cisalpina Film, Via Principe Amedeo 29—Turin.  
 Consorzio Cinematografico E. I. A., Via Varese 1B—Rome.  
 Cito Cinema, I Vicolo Albert—Rome.  
 Collari Arturo, Via Gaeta 70—Rome.  
 Colosseum Film, Via XX Settembre 58—A—Rome.  
 Columbus Film, Via Malta, 73/r; Genova.  
 Commercial Films, Vico Lungo teatro Nuovo 49—Naples.  
 Compagnia Generale Cinematografica, Calata San Marco, 24; Napoli.  
 Compagnia Generale Cinematografica, Galleria Margherita, 12; Roma.  
 Compagnia Generale Cinematografica, Via dei Pecori, 3; Firenze.  
 Compagnia Generale Cinematografica, Via de Pinedo, 2; Ancona.  
 Compagnia Generale Cinematografica, Via Molo Marullo; Milazzo.  
 Compagnia Generale Cinematografica, Galleria Regina Margherita 12—Rome.  
 Consorzio V. I. S., Via Maria Adelaide 7, Rome.  
 Consorzio "Condottieri", Via Po' 58; Roma.  
 Consorzio E. I. A. S. A., Via Varese 16B—Rome.  
 Consorzio I. C. A. R.—Via dei Mille 12 m, Rome.  
 Consorzio Noleggio Film, Piazza V. Emanuele, 2; Firenze.  
 Consorzio Noleggio Film, Via Galliera, 93; Bologna.  
 Consorzio Noleggio Film, Via Trieste, 23; Padova.  
 Consorzio V. I. S. Via Marie Adelaide 7—Rome.  
 Consorzio, E. I. A., Via dell Tritone 210—Rome.  
 Contestabile Barone Arturo, Via Aureliana 32—Rome.  
 Contestabile Barone, Arturo, Via Basella, 152—Rome.  
 Continental Film, Via Lima, 22; Roma.  
 Corti Guido B. C., Via Rovello N. 6—Milan.  
 Cosmopol Film, Via Condotti 21—Rome.  
 Cosmos, Via Quattro Pontane 33—Rome.  
 Criniere Industruc Corti Netraggi Sai—Via Dei Mille 12-m—Rome.  
 Cristofari, Via Arcone 71—Rome.  
 D. E. A. Film Via Notarbartolo, 1; Palermo.  
 DeGiglio, Via Principe Tomaso 4—Turin.  
 DeRivera Costaguti Marchese Afan, Via Mondovi 33—Rome.  
 De Rosa Alfredo, Via Gustavo Nodena 24—Milan.  
 De Vecchi L., Via Crispi, 58; Roma.  
 Dia Film, Via Bertola, 29; Torino.  
 Diamante Ermanno, Via Granello, 3; Genova.  
 Diana-Dia Film Via Bertola 29—Torino.  
 Dibilio S. A., Via Marsala, 10; Ancona.  
 Diorama Film, Via in Lucina, 17 Roma.  
 D' Lombardo Comm. Gustavo, Largo Goldoni 44—Rome.  
 Dramatica-Film, Via Alabardieri 32—Naples.  
 E. C. E. C., Via Camozzi, 1; Roma.  
 Ecta Film, Via Crescenzo, 19; Roma.  
 E. C. U., Via Cappellini, 14; Milano.  
 E. C. U., Via Fischetti, 14 Catania.  
 Edison Film, Via Roma, Galleria Natta 2—Turin.  
 E. F. A., Via Cavour 247—Rome.  
 E. F. A., Via Vigno Nova, 26; Firenze.  
 E. F. F. E. B. I., Via de Pinedo, 2-e; Ancona.  
 E. F. F. E. B. I., Via Curatone, 8; Roma.  
 E. I. A., Via Varese, 16-B; Roma.  
 E. J. A. (Consorzio Cinematografico)—Via Varese 16-13, Rome.  
 Elettra Film, Via Brunelleschi, 4; Firenze.  
 E. N. I. C. (Ente Nazionale Industrie Cinematografiche)—Via Po. 32, Rome.  
 E. N. I. C. Via Po. 32; Roma.  
 Ente Nazionale Industrie Cinematografiche (E. N. I. C.) Via Po 32 (formerly S. A. Stefano Pittaluga)—Rome.  
 Eridania Film, Via S. Domenico 4—Turin.  
 Espero Film, Via Doria, 12; Torino.  
 Est-Films, Via Botero 17, Torino.  
 Etruria Films, Via Porta Rossa 26—Florence.  
 Etruria Films, Via Ugo Bassi 19—Bologna.  
 Etrusca Films, Via XX Settembre, 5; Roma.  
 Excelsior Film, Via Roma 348—Naples.  
 Fauno Film, Via S. Basilio, 19; Roma.  
 Ferretti, Via Nazionale 57—Rome.  
 Ferretti, M., Via Aureliana 10—Rome.  
 Filmgrafica, Via Roma 27—Turin.  
 Film Victoria, Via Trieste, 26, Padova.  
 Film Triomphe, Via Bigli 22—Milan.  
 Films Bonnard, Via Appia Narova 48—Rome.  
 Film Italic, Galleria S. Marcello, Rome.  
 Filmitalia, Via Flasella, 12; Genova.  
 Filmitalia, Via Pomba, 19, Torino.  
 Filmitalia, Via Napo Tarriani, 19; Milano.  
 Fingnagalli Pion E. di Pion E. C. Via Monfoete 13—Milan.  
 Fiorentini Cav. Carlo, Via Avignonesi 32—Rome.  
 Florida Film E. C., Via Torino, 149, Roma.  
 Floreal Film, Via Agostino De Pretis 104—Rome.  
 Felsima Film, Via Ugo Bassi I.—Bologna.  
 F. I. D. E. S., Via Doria, 19; Torino.  
 Fono-Roma, Via Maria Adelaide 7—Rome.  
 Francesconi Giovanni, Via Donizetti, 5; Trieste.  
 Fulgor Film, Via Cavour, 229 Bari.  
 Furlan & Salomon, Noleggio Firenze—Florence.  
 Galbo Film, Via Bocca di Leone, 25 Roma.  
 Gallia I. Film, Via Lucrezio Caro, 12; Roma.  
 Gaumont Soc. It., Piazza Esedra 47—Rome.  
 General Film, Via Boccaccio 4—Milan.  
 Generalecine Ufficio Noleggio,—Via Vicenza 29—Rome.  
 G. E. F. A., Via Doria, 12; Torino.  
 G. E. F. A., Via Cappellini, 21; Milano.  
 Gestioni Commerciali S. A., Via Gloda, 12 Torino.  
 Genevois, Via Luca Giordano Vomero 110—Naples.  
 Genova Films, Via Flasella, 45/r; Genova.  
 Geo Film, Via Colonna, 40; Roma.  
 Gloria-Films, Via Ospedale 19—Turin.  
 Gloria Film, Via Carlo Alberto, 21; Torino.  
 Gloria Films, Piazza Cincinnato 6—Milan.  
 Goldstein Giuseppe, Via S. Settala 84—Milan.  
 Giovanni Monza, Via Mezzocamone 53—Naples.  
 Grandi Edizioni Film Anonima (G. E. F. A.) Via Cappellini 21—Milan.  
 Grifo Film, Via Roma, 6; Genova.  
 Grins Film, Via Chiara 35—Naples.  
 Gruppo Cinematografico Leoni, Via Santa Redegonda, 8; Milano.  
 Gruppo Cinematografico Leoni-Piazza Barberini, 21; Roma.  
 Guazzoni Film, Via della Province 7—Rome.  
 Herinagis, Corso Ferruccio 26—Turin.  
 Helios Film, Via Giotto, 3; Trieste.  
 Helios Film, Via Magenta, 23; Padova.  
 Helios Film, Vico del Mortaro—Rome.  
 Imperator Film, Compagnia Generale Produzione, Via—Cesare Beccarin 23—Rome.  
 Imperial Film, Via del Tritone, 87; Roma.  
 Industrie Cinematografiche Italiane (I. C. I.), Via del Tritone 87, Rome.  
 Industric Corti Netraggi Sai—Via del Mille 12-m—Rome.  
 Internazionale Cinematografica, Via Unions 10—Milan.  
 Invicta Films, Via Carlo Alberto 19—Turin.  
 Iris Film, Villaggio Giornalisti—Milan.  
 Italgloria Film, Via Magenta, 10-b; Roma.  
 Italica Film, Via Nizza 43—Turin.  
 Italo Centrale Consorzio Films, Via Modena 41—Rome.  
 Italo Suosse Films, Piazzale Fiume, 22; Milano.  
 La Cinematografica Veneta, San Marco, 4700; Venezia (Producers).  
 La Moretto—Societe Anonima, Via Tosio 9—Brescia.  
 Leonardo Film, Via Sagra S. Michele 47—Turin.  
 Lido-Filma—Rome.  
 Liga Attilio, Via Molo Marullo; Milazzo.  
 Ligure Film, Via Malta 6—Genoa.  
 Littoria Film-A Perrelli, Via Roma, 116; Napoli.  
 Littoria-Films, Via de Mille 1—Rome.  
 L'italiana Cinematografica, Via Cernala 1—Rome.  
 L'italiana Cinematografica, Via Napoli 21A—Rome.  
 Lombardo Gustavo, Piazza St. Sylvestre, 31—Rome.  
 Lusvardi Alcide, Via Corrado, 47; Mantova.  
 Luceria Films, Piano della Croce, 8; Foggia.  
 Luigi De Vecchi S. A., Via Francesco Crispi 58—Rome.  
 Luna Film, Via Cappelari 7—Milan.  
 Lupa Film, Via Spezia, 82; Roma.  
 Lupa Film, Via 4 Fontane 169, Rome.  
 Lux Artis, Via Gregoriana 12—Rome.  
 Lux Compagnia Cinematografica Italiana, Corso Montevecchio, 39; Torino.  
 Maciste Film, Piazza della Borsa 22—Naples.  
 M. A. S. Film Consorzio Independenti, Via Curtatone, 8; Roma.  
 Malpieri Film, Via Torino 36—Rome.  
 Malpieri Luigi, Corso Venezia 13—Rome.  
 Mangano L. Soc. An., Via Villareale, 57; Palermo.  
 Mancini, Eugenio, Via delle Finanze 6—Rome.  
 Manderfilm S. A., Via Firenze, 48; Roma.  
 Manendi-Films, Via Uffici del Vicario 48, Rome.  
 Manenti Film—Via Uffici del Vicario 24-A, Rome.  
 Maria Luporino, Via Quirinal—Rome.  
 Mariotti E. C., Via Boccaccio 45—Milan.  
 Marzetto Ettore, Via Belfiore 3—Turin.  
 Mediterranea Film, Via Delle Merade 54—Rome.  
 Megale Alberto, Santa Bigita 68—Naples.  
 Megale Alberto, Via Quattro Fontane 25—Rome.

Mercurio Film, Via Romagnoli 18—Milan.  
 Milesi Film, Via Milazzo, 8-a; Bologna.  
 Minerva Film, Piazza Cavour 10—Rome.  
 Minerva Films S. A., Piazza Adriana 19—Rome.  
 Miniatura Film, Via S. Giovanni sul mure, 14; Milano.  
 Mimosa Film, Via Canevari 46—Genoa.  
 Moderna Film, Via Nizza 43—Turin.  
 Moderna Film, Via Archimede 11—Genoa.  
 Modugno Vito, Piazza Umberto, 41; Bari.  
 Momi Umberto, Via dei Pecori, 3; Firenze.  
 Mondial Films, Calzettari alla corsea 3—Naples.  
 Mondialfilm, Piazza di Pietra, 26; Roma.  
 Monopol Film, Via Principe Tomasco 4—Turin.  
 Moretto S. A., Via Marsala 64—Rome.  
 Moro Vincenzo, Via Cassa di Risparmio, 11; Trieste.  
 Moscato Edgardo, Via Varese, 3; Roma.  
 Mosco Antonio Ditta, Piazza Adriana 19—Rome.  
 Mundus Film, Via Bergamo 3—Rome.  
 Negrone Film, Via Mondovì 33; Roma.  
 Novella Film—Piazza Carlo Erba 6, Milano.  
 O. M. N. I. S., Films S. A., Via Camperio II—Milan.  
 Omnium Film, Via Torino 149—Rome.  
 Orlandini Cav. Enrico, Via Del Pozzetto 117—Rome.  
 Paganoni Domenico-Gloria Film, Via Ghislanzoni, 9; Bergamo.  
 Paganoni Domenico, Gloria Film, Piazza Cincinnati, 6; Milano.  
 Paradissi Film, Via Casaregis 53—Genoa.  
 Pasquario Giuseppe, Via Gogino, 12; Torino.  
 Pax Film, Via Torino 47—Milan.  
 Perani E., Via XX Settembre, Cinema Orfeo; Genova.  
 Pescali F. et O., Corso Venezia 33—Milan.  
 Petrecca Films, Piazza Sallustio 3—Rome.  
 Petrini Edmondo, Via S. Anselmo 1—Turin.  
 Pettaluga Adalgisa, Via Pozzo, 6/2; Genova.  
 Piemonte Film, Via Trotti, 12; Alessandria.  
 Piemonte Film, Via Castelfidardo, 50; Roma.  
 Pisorna Film—Tirrenia—Via Veneto 108, Rome.  
 Pittaluga Stefano, Via Viotti N 1—Turin.  
 Ponzano Fratelli, Via C. Tenca, 10; Milano.  
 Ponzano, F. Lli, Via Magenta, 19-b; Roma.  
 Ponzano Film, Via Bogino, 12; Torino.  
 Primo Circuito Nazionale Super Films, Via delle Muratte 25—Rome.  
 Prometheus Films, Via dei Maroniti, 34; Roma.  
 Protti Cav., Gino, Via Cavour 247—Rome.  
 Protti Cav. Gino, Via Trionfale, 87; Roma.  
 Protti Ottorino, Via Montanara Curtatone, 3; Mantova.  
 Produzione Italiana Artiste Associati—Via del Giardino 42, Rome.  
 Produzione Ventura, Via Torino, 149 Roma.  
 Provveditorato Cinematografico Giuliano, Via Giotto, 3; Trieste.  
 Radio Film, Via Dante 125—Palermo.  
 Rari Film, Via Carlo Alberto, 6; Bologna.  
 Rari Film, Via del Campidoglio, 4; Firenze.  
 Recanati, Luigi, Via Pio V 3—Turin.  
 Regina Film C. A., Monte Napoleone, 26-28; Milano.  
 Rex Film, Piazza Bodoni, 3; Torino.  
 Ricci Films, Via Marghera 43—Rome.  
 Roma Film, Via Regina Elena, 86; Roma.  
 Romulus Film, Via Montebello, 109; Roma.  
 Romulus Lupa, Via Fontane 169—Rome.  
 Rosa Film, Via Sorbelloni 4—Rome.  
 Ruggiero Fratelli, Vico S. Giuseppe 31—Naples.  
 Sacchi Ugo, Via Brigida 24—Naples.  
 S. A. Cinematografica Stereoscopica—"Cinecitta", Rome.  
 S. A. C. R. A. S., Via due Macelli 9—Rome.  
 S. A. E. F. C. Via Ferruccio, N. I.—Rome.  
 S. A. F. A., Via Mondovì, 33; Roma.  
 S. A. F. F., Via dei Pecori, 3; Firenze.  
 S. A. F. I. R., Via Labicana, 92; Roma.  
 S. A. G. A. I., Via Valadier, 42; Roma.

S. A. Giuseppe Leoni, Via Borcovic 33—Milan.  
 S. A. I. C. C., Via Brera, 6 Milano.  
 S. A. L., Via Roma, 6; Genova.  
 S. A. Moretto, Via Marsala 54—Rome.  
 San Giusto Film, Via Giotto 8; Trieste.  
 Sangraf, Via Torino 149—Rome.  
 Sapia, Via del Tritone 183—Rome.  
 S. A. Produzione Films (S. A. P. F.) Via XX Settembre 5—Rome.  
 S. A. R. FI., Via Torino 36—Rome.  
 S. A. R. P., Via Viminale 43—Rome.  
 Soc. Generale Cinematografica. Italiana—"Cinecitta", Rome.  
 S. A. Romfilm, Via Curtatone 6—Rome.  
 S. A. S. F. I., Via Dante, 112; Bari.  
 S. A. S. F. I., Via Caracci, 7; Catania.  
 S. A. S. F. I., Via Medina, 67; Napoli.  
 S. A. Stefano Pittaluga, Via Viminale 43—Rome.  
 S. A. Stefano Pittaluga, Via Luisadel Carretto 187—Turin.  
 S. Marco Films, Via Spiga 33—Milan.  
 Savoia Film, Via A. Doria, 19; Torino.  
 Scalzaferri Soc. An., Via Marghera, 13; Roma.  
 Scalla Fratelli, Cinema S. Giorgio; Rodi.  
 Scalzaferri Squarante, Via Quattro Fontane 159—Rome.  
 Selecta Film, Via Vittor Pisani, 12; Milano.  
 Select Film, Via Dante, 112; Bari.  
 S. I. A. F., Via Cavour 108—Rome.  
 S. I. C. E. D., Via Crescenzo, 23; Roma.  
 S. I. C. E. T., Via Berthollet 30—Turin.  
 S. I. C. I. A.—Galleria Umberto I, 27; Napoli.  
 Societa Antonima Grandi Films (S. A. N. G. R. A. F.) Salita S. Nicolo da Tolentino 1 bis.—Rome.  
 Societa Generale Italiana Cinematografica—Via dei Mille 12-m—Rome.  
 Societa' An. Italiana Cinematografica Walter Wanger, Via XX Settembre, Roma.  
 Soc. An Cinematografica Stereoscopica, Via Monte Napoleone, 22; Milano.  
 Soc. An Grandi Films (S. A. N. G. R. A. F.), Via Piave 7, Rome.  
 Soc. An. Superfilms, Via delle Finanze 6—Rome.  
 Soc. An S. C. J. F., Via Durini 31—Milan.  
 Soc. Italiana Cinematografica, Via Ospedale 19—Turin.  
 Societe Italiana Eclair, Via Meravigli 2—Milan.  
 Sonora Film, Via de Petris, 62; Napoli.  
 Stella Films, Corso Porta Nuova 19—Milan.  
 Super Film, Via Tommase Invrea 206—Genoa.  
 Superior Film, Via Petrella 20; Milano.  
 Taranto Film, Via Pitagora, 94; Roma.  
 Tiberiafilm S. A. L., Salita S. Nicolo da Tolentino, 1-bis; Roma.  
 T. E. I. A. Film, Via Roma, 228; Napoli.  
 Tergestefilm, Via della Zonta, 8; Trieste.  
 Tirrenia Film, Via Montebello 109—Rome.  
 Tirrenia-Films, Via Abruzzi 3,—Rome.  
 Titanu. S. A., Via Roma, 228; Napoli.  
 Titanus Soc. An., Largo Goldoni, 44; Roma.  
 Tiziano Film, Corso Sommeiller 25—Turin.  
 Tovi, U., Via Lagrange 29—Turin.  
 Triomphalis Film, Via Flaminia 293-et 95.—Rome.  
 Triangle Film, Via Berchet 2—Milan.  
 Turruta Film, Via Daduti Fascisti, 11-13; Bari.  
 Ultra Film, Via Appiani, 2; Milano.  
 U. N. I., Largo Zanardelli, 19; Brescia.  
 Union Cosmopolite des Artistes, Via Cavour 361—Rome.  
 Union Film, Galleria Umberto 1—Naples.  
 Unione Cinematografica Italiana—Rome.  
 Urania Film, Piazza Marina, 46; Palermo.  
 Urbe Film—Via Venti Settembre 4—Rome.  
 Vaccarello Rotolo, Via Giotto, 10-a; Padova.  
 Vaselli, Arnaldo, Via delle Finanze 6—Rome.  
 Vay Armando, Corso Italia 45—Milan.  
 Veneta Film S. A., Via Trieste, 31-B; Padova.  
 Venezia Films, Via Campania 8, Rome.  
 Vesuvio Film, Via Roma 256—Naples.

Victoria Film, Via Medina 72—Naples.  
 Vigo Film, Via Dante, 112; Bari.  
 Vigor Film, Via A. di Sangiuliano, 193; Catania.  
 Vigor Film, Calata S. Marco, 24 Napoli.  
 Vitali A., Via Fiasella, 28/r; Genova.  
 Vittoria Films, Via Settembrini, 60 Vyrins Film, Via Gregoriana 7—Rome.  
 Zagherelli, Piazza S. Croce 3—Firenze.  
 Ziccardi A. F. P. Prefettura—Foggia.  
 Zuccolo L., Via dei Pecori, 4; Firenze.

[F. R. Doc. 43-18029; Filed, November 8, 1943; 11:13 a. m.]

[Vesting Order 1760]

AIKOKU KINEMA KABUSHIKI KWAISHA

Re: Copyright interests in Japanese-owned motion picture films in the United States.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each of the individuals whose names and last known addresses are set forth in Exhibit A attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of, Japan and that therefore each of such individuals and companies is a national of a foreign country (Japan);

2. Finding that the Japanese Government and the persons listed in said Exhibit A, jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the motion picture films in the United States owned or controlled by the Japanese Government and/or the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of renewal, reversion or re-vesting, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a foreign country (Japan) and/or nationals thereof;

4. Having made all determinations and taken all action, after appropriate consul-

tation and certification, required by said Executive Order or Act of otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on July 1, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

Alkoku Kinema Kabushiki Kwaisha, Shima Heiye-mon-cho, Asakusa-ku, Tokyo.  
Akazawa Kinema Shokai, Koizumi Bldg., Ueno, Shitaya-ku, Tokyo.  
Arashi Kaniyuro Production, Hanazono Studio, Ukyo-ku, Kyoto.  
Azuma Production, Mukojima, Tokyo.  
Bando Tsumasaburo Production, Yazu Studio, Yazu, Chiba-Ken.  
Board of Tourist Industry Japan, Tokyo.  
Kojimachi-ku, Tokyo.  
Chiezo Production, Sagano Studio, Sagano, Kyoto.  
Chijo Eiga-sha, Izumo Bldg., Ginzo 8-Chome, Kyobashi-ku-Tokyo.  
Chugal Katsudo Shashin Kyokai, 1890, Sugamo Miyanaka, Tokyo-fuka-Tokyo.  
Chuo Eiga-sha, 2-9, Sanjukkenbori, Kyobashi-ku-Tokyo.  
Dai-ichi Ashi-Kan, 293 Minato-cho 1-chome-Kobe.  
Daito Eiga Production Sugamo Studio, 455 Kishinzuka, Sugano, Tokyo.  
Domei News, Domei Tsushin Sha, Tokyo.  
Kojimachi-ku, Tokyo.  
Kyobashi-ku, Tokyo.  
Hattori Shoten, Taikaku Bldg., Sukiya-cho, Kyo-bashi-ku-Tokyo.  
Ichikawa Utaemon Production, Ayamaeike Studio, Nara-Ken.  
Imai Shokai, Nishigatsuji-machi, Tennoji-ku,—Osaka.  
International Cinema Association of Japan, Tokyo.  
Irie Production, Ukyo-ku, Kyoto.  
Ishii Shokai, Hakozaki-cho, Nihonbashi-ku—Tokyo.  
Japan Tourist Bureau, Tokyo.

J. O. Uzumasa Talkie Production, Uzumasa, Kyoto.

Kaigai Eigasha, 6, Hachikancho Kyobashi-ku—Tokyo.

Kawai Eiga Shokai, Kanasugi Kami-machi, Shitaya-ku—Tokyo.

Kikusui-Kan, 293 Minato-cho 1-Chome,—Kobe.

Latin Eiga Shokai, 28, Sanban-cho, Kojimachi-ku—Tokyo.

Makino Eiga Kwanto Hakyujo, Ltd., Uyeno Hiro-koji, Shitaya-ku—Tokyo.

Makino Kinema Eigyojo, Gosendori Imadegawa Sagaru, Kamikyo-ku,—Kyoto.

Makino Production, Kyoto.

Manchukuo State Council, South Manchuria Railway, Tokyo.

Mr. Matsujiro Shiref, c/o Naka-za., 8 Nishi Ya-Gura-machi Higashi-ku.

Mina Talkie Production, Ohmori, Tokyo.

Nihon Katsudo Shashin K. K. Tamagawa Studio, Nunota, Chofu, Kita-tamagori, Tokyo-fu.

Nippon Domei Tsushin Sha-Dentso News, Tokyo.

Nippon Katsudo Shashin Kaisha, 1 Kami-maki-cho, Nihonbashi-ku—Tokyo.

Nippon Katsudo Shashin Kabushiki Kwaisha, Karasumarudori Sanjo Sagaru—Kyoto.

Nippon Katsudo Shashin Kabushiki Kwaisha, Komatsubara 1-chome, Kita-ku, Osaka.

Nippon Katsudo Shashin Kabushiki Kwaisha, Yairaku-cho, Kojimachi-ku—Tokyo.

Nihon Katsudo Shashin K. K., Uzumasa Studio, Uzumasa, Kyoto.

Nippon News, Tokyo.

Nisso Shokai, 3, Ginza 6-chome, Kyobashi-ku—Tokyo.

Obei Eiga Kabushiki Kwaisha, Chiyoda Shintaku Bldg., Kitamaki-cho, Kyobashi-ku—Tokyo.

Okamoto Yoko, 2-15, Ginza, Kyobashi-ku—Tokyo.

Oriental Production, Ochiai, Tokyo.

P. C. L. Production, Kinuta Mura, Tokyo.

Sakama Shokai, Narihira-cho, Honjo-ku—Tokyo.

Saneisha, Oda, Shintaku Bldg., Kayabacho, Nihonbashi-ku—Tokyo.

Sankyo-sha, Su, otp, p. Bldg., Nishi Dotonbori Nishi-ku, Osaka.

Sanryu Shoten, 1830 Kanasugi, Nippori, Tokyofuka—Tokyo.

Sanyei-sha, Oda Bldg., Minami Kayabacho, Nihonbashi-ku—Tokyo.

Segoshi Yoko, Itchome, Kyomachi, Nishiku.

Seishiro Terata, Shimachi-dori 3-chome—Osaka.

Sekai Film Sha, 16 Hanazono-cho, Shitaya-ku—Tokyo.

Shechiku Kinema Kaisha, 6 Izumi-cho, Nihon-Bashi-ku—Tokyo.

Shinko Kinema K. K. Tokyo Studio, Ohizumimachi, Itabashi-ku—Tokyo.

Schochiku Kinema Kabushiki Kwaisha, Shintomi-cho, Kyobashi-ku—Tokyo.

Shochiku Ofuna Studio, Ofuna, Kanagawa-ken—Tokyo.

Shockiku Kamata Studio, Kamata-ku, Tokyo.

Shochiku Kyoto Studio, 127 Miyazakicho, Shimogamo, Kyoto.

Society for International Cultural Relations, Tokyo.

South Manchuria Railway, Tokyo.

Star Film Goshi Kwaisha, Nihonbashi Bldg., Motodaku-cho, Nihonbashi-ku—Tokyo.

Takarazuka Eiga Production, Tojin Kitamachi, Kyoto.

Teikoku Cinema Co., 19, 4-chome Suye-yoshibashidori Minami-ku—Osaka.

Teikoku Kinema Engei Kabushiki Kwaisha, Kuru-mazaka-cho, Shitaya-ku—Tokyo.

Teikoku Kinema Engei Kabushiki Kwaisha, Shio-cho 4-chome, Minami-ku,—Osaka.

Toa Kinema Kabushiki Kwaisha, Kawaramachi-dori Takatsuji Agaru, Shimokyo-ku—Kyoto.

Toa Kinema Kabushiki Kwaisha, Saiwai Bldg., Uchisaiwai-cho, Kojimachi-ku—Tokyo.

Toa Shoji Co., Kaijo Bldg., Marunouchi, Koji-machiku—Tokyo.

Toa News, Toa.

Toho Kyoto Studio, Uzumasa, Kyoto.

Toho Tokyo Studio, Seijo, Setagaya-ku—Tokyo.

Towa Shoji, Gashi Kaisha—Tokyo.

Towa Shoji K. K., Kaijo Bldg., Marunouchi, Kojimachi-ku—Tokyo.

Tozai Eiga Kabushiki Kwaisha, Umeda Bldg., Okecho, Kyobashi-ku—Tokyo.

Yamani Yoko, 42, Minami Kayaba-cho, Nihon-bash-ku—Tokyo.

Yamani Yoko, c/o Nameiza, Ogawa-machi, Kanda-ku—Tokyo.

Yokohama Cinema Shokai, 22 Kuritadani, Kanakawa-ku, Yokohama.

Yuraku-cho, Kojimachi-ku—Tokyo.

[F. R. Doc. 43-18030; Filed, November 8, 1943; 11:13 a. m.]

[Vesting Order 2124]

DR. SIGMUND MARTIN HAFNER

Re: Real property owned by Dr. Sigmund Martin Haffner, also known as Dr. S. Hafner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Dr. Sigmund Martin Haffner, also known as Dr. S. Hafner, is 8/0/R Wotan Street, Munich, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Dr. Sigmund Martin Haffner, also known as Dr. S. Hafner, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows: Real property described in Exhibit A, attached hereto and made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto; and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Germany); and

4. Determining that to the extent that said national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 7, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

## EXHIBIT A

All that certain tract or parcel of land situated in the City of El Paso, County of El Paso and State of Texas, to wit:

All of Lot numbered Six (6) and the Northerly and adjoining one half (1/2) of Lot numbered five (5), in block Ten (10) of the Mundy Heights Addition to the City of El Paso, Texas, according to the First Revised Map of said Mundy Heights Addition surveyed and platted by A. H. Parker in July 1903, and which said property has a total frontage of 37 1/2 feet on the Westerly line of Porfirio Diaz Avenue by a depth Westerly between parallel lines of 120 feet to an alley, and being the same property conveyed to the said J. M. Richmond by W. Cooley by deed dated February 1, 1913, and recorded in Book 224, Page 111, of the Deed Records of El Paso County, Texas, to which reference is here made.

[F. R. Doc. 43-18032; Filed, Nov. 8, 1943; 11:13 a. m.]

[Vesting Order 2125]

ELLA MANGOLD

Re: Real property and a bank account owned by Ella Mangold.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Ella Mangold is Ritzacher, Bahnhof, Hanover, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Ella Mangold is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in Allen County, Indiana, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Ella Mangold, in and to a certain bank account in the Lincoln National Bank and Trust Company of Fort Wayne, Indiana, which is due and owing to and held for Ella Mangold in the name of the Lincoln National Bank and

Trust Company, Administrator, including but not limited to all security rights in and to any and all collateral for any and all such accounts, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 7, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

## EXHIBIT A

The East Forty (40) feet of the North Sixty (60) feet and the South Twenty (20) feet of the North Eighty (80) feet of Lot Number Ninety-one (91) in the Original Plat of the Town now City of Fort Wayne, Allen County, Indiana.

[F. R. Doc. 43-18033; Filed, November 8, 1943; 11:13 a. m.]

[Vesting Order 2126]

CHRISTIAN SAUER AND MARY VISER

Re: Interest in real property owned by Christian Sauer and Mary Viser.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Christian Sauer and Mary Viser are Constance, Baden, Germany, and Friedrichsfaen, Germany, respectively, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Christian Sauer and Mary Viser are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
The undivided one-half interest in and to the real property situated in Pocahontas County, Iowa, particularly described as being the Northeast Quarter of Section Thirty (30) in Township Ninety-two (92) North of the Base Line in Range Thirty-four (34) West of the Fifth Principal Meridian, which interest was devised to Christian Sauer and Mary Viser by the Last Will and Testament of John L. Sauer, deceased, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such interest,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 7, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-18034; Filed, November 8, 1943;  
11:13 a. m.]

[Vesting Order 2165]

LEIPZIG TRADE FAIR, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all the issued and outstanding capital stock of Leipzig Trade Fair, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 102 shares of no par value capital stock, is registered in the name of E. E. Wachsmuth, being beneficially owned by Leipziger Messamt, and is evidence of ownership and control of said business enterprise;
2. That Leipziger Messamt, whose principal place of business is Leipzig, Germany, is a corporation organized under the laws of Germany and is a national of a designated enemy country (Germany);

and determining:

3. That Leipzig Trade Fair, Inc. is controlled by Leipziger Messamt and is a national of a designated enemy country (Germany);
4. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 102 shares of the no par value capital stock of Leipzig Trade Fair, Inc. hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 7, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-18035; Filed, November 8, 1943;  
11:14 a. m.]

[Vesting Order 2174]

ANNA SCHIMMEL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Anna Schimmel is Gera, R. J. L. Werder Strasse No. 7, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);
2. That Anna Schimmel is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-half interest, identified as the interest which was devised to Anna Schimmel by the Last Will and Testament of Elizabeth Barbara Stolz, deceased, filed for probate before the Register of Wills for Philadelphia County, Philadelphia, Pennsylvania, Estate No. 2579, in and to the real property situated in Camden County, New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Anna Schimmel in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Anna Schimmel, by the Camden Trust Company, and represented on the books of the Camden Trust Company as a credit balance due Anna Schimmel, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 10, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

All that certain tract or parcel of land and premises situate in the City of Camden in the County of Camden and State of New Jersey bounded and described as follows:

Beginning at a point in the Northeastly line of Twenty-fifth (formerly Fulton) Street at the distance of twenty-one feet (21 ft.) Southeastwardly from the easterly corner of Twenty Fifth Street and Wayne Avenue (formerly Third Street) and extending thence southeastwardly in front or width along said Northeastly line of Twenty-Fifth Street nineteen feet (19 ft.) and thence Northeastwardly of that width between parallel lines at right angles with said line of Twenty-Fifth Street one hundred feet (100 ft.) in length or depth being part of Lot No. 3 in Block O on the Plan of Pavonia and premises now known as No. 1044 North Twenty-Fifth Street and the same land and premises which Sarah H. Mason (single woman) by deed dated December 20th 1910 and recorded December 21st 1910 in the office of the Register of Deeds of Camden County in Book No. 353 of Deeds pages 3 etc. granted and conveyed unto the said August Hingst and Marie Hingst his wife in fee.

[F. R. Doc. 43-18036; Filed, November 8, 1943;  
11:14 a. m.]

[Vesting Order 2176]

## ELEONORE SOHRE

Re: Real property, bank account, claim, and safety deposit box leasehold rights owned by Eleonore Sohre, also known as F. E. Sohre and E. Sohre.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Eleonore Sohre, also known as F. E. Sohre and E. Sohre, is Postfach 175, Chemnitz, Germany, and that she is a national of a designated enemy country (Germany);

2. That Eleonore Sohre, also known as F. E. Sohre and E. Sohre, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Hanover County, Virginia, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim (including, but not limited to, the right of access to the safety deposit box hereinafter referred to) of E. Sohre arising by reason of a contract, as evidenced by a certain lease executed January 1, 1932 between the Bank for Commerce and Trusts, Ninth and Main Streets, Richmond, Virginia, and E. Sohre, relating to safety deposit box No. 305 in the vaults of the Bank for Commerce and Trusts, Ninth and Main Streets, Richmond, Virginia, and

c. All right, title, interest and claim of Eleonore Sohre, also known as F. E. Sohre and E. Sohre, in and to a certain bank account with the Bank for Commerce and Trusts, Ninth and Main Streets, Richmond, Virginia, entitled "E. Sohre", which is held for and in the name of, and is due and owing to, E. Sohre, and

d. All right, title, interest and claim of Eleonore Sohre, also known as F. E. Sohre and E. Sohre, in and to a certain sum of money held by Charles Vallery, Waverly, Ohio, for and in the name of, and now due and owing to, Eleonore Sohre, including but not limited to all security rights in and to any and all collateral for any or all of such account and claim, or portions thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for

persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States, and

hereby undertakes the direction, management, supervision and control of the contents of the safety deposit box referred to above, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to limit the power of the Alien Property Custodian to vary the extent of, or terminate, such direction, management, supervision or control, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 10, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

## EXHIBIT A

Real property situated in Hanover County, Virginia, particularly described as follows:

All that certain piece or parcel of land situated, lying and being in the County of Hanover, Virginia, containing two (2) acres, bounded and described as follows, to-wit: Beginning at a point on a road running parallel with the R. F. & P. R. R. where this land intersects with that of T. H. Droste, running along said T. H. Droste's line North 71 degrees W. 1050' to a stake, thence 83' where this land intersects with that of George E. Crawfords line, thence along the said Geo. E. Crawfords line S. 71 degrees 1050' to the road running parallel with the R. F. & P. R. R., thence along the said road 83' to place of beginning, as shown by plat hereto attached and made a part of this deed.

## EXHIBIT B

Real property situated in Hanover County, Virginia, particularly described as follows:

All that certain lot, piece or parcel of land, lying and being in Ashland Magisterial District, Hanover County, Virginia, containing two and ninety-three hundredths (2.93) acres, shown on *Map* made August 12th, 1920, by T. Crawford Redd and Bro. Surveyors and engineers, as lot "C", which map is recorded in the Clerk's Office of the Circuit Court of Hanover County, Va., in Plot Book 7, Page 34,

Plot 1, and to which map reference is hereby made for the metes and bounds of the property herein conveyed.

The property herein conveyed is a portion of the third tract of land conveyed by J. Baker Jeter to M. C. Jeter, by his deed dated October 12th, 1915 and recorded in the Clerk's Office of the Circuit Court of Hanover County, Virginia, in D. B. 62, Page 218.

[F. R. Doc. 43-18037; Filed, November 8, 1943; 11:14 a. m.]

[Vesting Order 2177]

## HERMAN NOTHDORF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Herman Nothdorf is St. Michaels Don, Holstein, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Herman Nothdorf is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

The undivided one-fifth interest, identified as the interest which was distributed to Herman Nothdorf by the Probate Court of the Jefferson County, State of Kansas, in The Matter of the Estate of Frederick Nothdorf, Deceased, No. 2391, on November 16, 1940, in and to that certain real property particularly described as the Southwest Quarter (SW $\frac{1}{4}$ ) of section twenty-five (25), Township Nine (9), South Range Nineteen (19) East, in Jefferson County, Kansas, containing 160 acres, more or less, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record, held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 10, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-18038; Filed, November 8, 1943;  
11:14 a. m.]

[Vesting Order 2196]

**DOMINICO AND ANGELA UCCELLO**

Re: Real property owned by Dominico Uccello and Angela Uccello, his wife, and a claim owned by Dominico Uccello, sometimes known as Dominic Uccello.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Dominico Uccello and Angela Uccello, his wife, is Genoa, Italy, and that they are residents of Italy and nationals of a designated enemy country (Italy);

2. That Dominico Uccello and Angelo Uccello, his wife, are the owners of property described in subparagraph 4-a hereof;

3. That Dominico Uccello, sometimes known as Dominic Uccello, is the owner of the property described in subparagraph 4-b hereof;

4. That the property described as follows:  
a. Real property, particularly described as Lot in Block 4826 of the City of St. Louis, fronting 64 feet, 6¼ inches on the North line of Easton Avenue, by a depth Northwardly of 120 feet to an alley, Bounded East by Clara Avenue, the same being shown on plat of Clara Avenue Heights as lots 1 and 2, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Dominico Uccello, sometimes known as Dominic Uccello, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Dominico Uccello by the Mercantile-Commerce Bank and Trust Company and represented on the books of the Mercantile-Commerce Bank and Trust Company as a credit balance due Dominico Uccello, including but not limited to all security rights in any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

And determining that the property described in subparagraph 4-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property de-

scribed in subparagraph 4-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-18039; Filed November 8, 1943;  
11:14 a. m.]

[Vesting Order 2197]

**EMMA LOCHNER**

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Emma Lochner is Spohrstrasse 9, Kassel, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That the said Emma Lochner is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. All right, title and interest of Emma Lochner in and to any and all obligations

secured by a first mortgage which was executed on October 21, 1924, by Mary Au, and recorded in the Register's Office of Queens County, New York, in Liber 2491 of Mortgages, Instrument No. 93179, including but not limited to all security rights in and to any and all collateral (including the aforesaid first mortgage) for any or all of such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-18040; Filed, November 8, 1943;  
11:14 a. m.]

[Vesting Order 2198]

**JOSEPHINE GRAZZINI**

In re: Interest in real properties and in bank account, owned by Josephine Grazzini, also known as Giuseppina Grazzini.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Josephine Grazzini, also known as Giuseppina Grazzini, is c/o Salvatore or Giuseppina Pina, via L. Gerolamo F. Palestrina, Rome, Italy, and that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That Josephine Grazzini is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. The undivided one-half interest, identified as the interest of Josephine Grazzini, also known as Giuseppina Grazzini, acquired by her pursuant to an order of the Superior Court of the State of California in and for the County of San Mateo, distributing the assets of the estate of Armando Grazzini, deceased, which order was dated October 2, 1939, and recorded the same date in the Office of the Recorder of said County and State, in three parcels of land situated in San Mateo County, California, particularly described in Exhibits A, B, and C, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of Josephine Grazzini in and to a certain bank account in the American Trust Company, 4900 Third Street, San Francisco, California, which is due and owing to and held for Josephine Grazzini, also known as Giuseppina Grazzini, and in the name of Angelo Antongiovanni and Jean Antongiovanni, including but not limited to all security rights in and to any and all collateral for any or all of such account and the right to enforce and collect such account,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should

be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 20, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

That certain portion of lot No. 6, Map of town of Pescadero, County of San Mateo, State of California, bounded and particularly described as follows:

Commencing at the northeasterly corner of Main and San Gregorio Streets; thence in a Northerly direction along the Easterly boundary of San Gregorio Street 103 feet, more or less to the property of F. S. Duarte; thence at right angles in an Easterly direction and along the Southerly boundary of said F. S. Duarte property 41 feet; thence in a Southerly direction and parallel with the San Gregorio Street to the Northerly line of Main Street; thence in a Westerly direction along said line of Main Street to the point of commencement.

EXHIBIT B

That certain lot or parcel of land situated in the town of Pescadero, County of San Mateo, State of California, bounded and particularly described as follows:

Beginning at the point of intersection of the Northerly line of Main Street with the dividing line between lots 4 and 5 of Map of City of Pescadero which map was filed in Book 1 of Patents at page 82, Santa Cruz County, said point being distant along said line of Main Street 200 feet Easterly from the Easterly line of San Gregorio Street; thence along said dividing line between Lots 4 and 5, N. 8°15' W. 200 feet to the Northerly corner between said Lots 4 and 5; and on the Southerly line of Lot 7; thence along said Southerly line N. 80°45' E. 94.63 feet to the corner common to said Lots 4 and 7; thence along the Easterly line of Lot 7 and along the Northeasterly boundary of those parcels described in Deed to Coast Side Transportation Company dated May 14, 1926 and recorded May 14, 1926 in Book 239 of Official Records at page 31 and Deed to Manuel Goularte dated August 28, 1916 and recorded September 11, 1916 in Book 259 of Deeds at page 29 N. 38° W. 131.00 feet to the Easterly corner between Lots 7 and 8; thence along the Easterly line of said Lot 8 and along the Easterly boundary of those parcels described in deed to Manuel Goularte before referred to and Deed to J. C. Williamson, dated June 8, 1909 and recorded June 30, 1909 in Book 164 of Deeds at page 520, N. 11°45' W. 50.72 feet to a ¾" iron pipe monument set at the Southwesterly corner of the Jose M. Gomez 2.884 acre tract; thence along a fence being also the Southerly boundary of that certain parcel described in Deed to John Luiz dated January 10, 1925 and recorded April 3, 1925 in Book 144 of Official Records at page 189, S. 84°26' E. 196.32 feet to a point which is in the production Northerly of a fence line running N. 4°39'30" W. from the above mentioned Northerly line of Main Street; thence along said Northerly produc-

tion and fence line S. 4°39'30" E. 316.30 feet to said Northerly line of Main Street; thence along said Northerly line S. 80°45' W. 197.37 feet to the point of beginning.

Containing 1.444 acres and being portion of Lot numbered three (3) and all of Lot numbered four (4) as shown on Map of the City of Pescadero and being portions of the lands adjoining said Lots 3 and 4.

EXHIBIT C

That certain lot or parcel of real property in the City and County of San Francisco, State of California, particularly described as follows:

Beginning at the point of intersection of the northerly line of States Street with the westerly line of Castro Street; and running thence northerly along said line of Castro Street 25 feet; thence at a right angle westerly 100 feet; thence at a right angle southerly 25 feet to the northerly line of States Street; and thence at a right angle easterly along said line of States Street 100 feet to the point of beginning. Being lot No. 8 in Block No. 14, as per map of Flint Tract Homestead Association, recorded April 10, 1874, in the office of the Recorder of the City and County of San Francisco, State of California.

[F. R. Doc. 43-18042; Filed, November 8, 1943; 11:17 a. m.]

[Vesting Order 2199]

ERNA CAROLINE ANNA MARIE KIRCHHOFF  
AND SIEGFRIED RICHARD XAVER FRITZ  
KIRCHHOFF

In re: Real property owned by Erna Carolina Anna Marie Kirchhoff, also known as Erna C. Kirchhoff, and Siegfried Richard Xaver Fritz Kirchhoff, also known as Siegfried R. Kirchhoff.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Erna Caroline Anna Marie Kirchhoff, also known as Erna C. Kirchhoff, is Souchaystrasse, 7 Loeschwitz, Germany, and that the last known address of Siegfried Richard Xaver Fritz Kirchhoff, also known as Siegfried R. Kirchhoff, is 13 Lessingplatz, Chemnitz, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Erna Caroline Anna Marie Kirchhoff, also known as Erna C. Kirchhoff, and Siegfried Richard Xaver Fritz Kirchhoff, also known as Siegfried R. Kirchhoff, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
Real property situated in Bronx County, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "nationals" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 20, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

All those certain lots, pieces or parcels of land situate, lying and being in the Borough of Bronx, City, County and State of New York, known and designated as and by lot numbers 17 and 18 on a certain Map entitled "Map of property known as Lohbauer Park, desirably situated on the Eastern Boulevard, Town Dock Road & Pelham Bay, adjoining the Country Club, Borough of the Bronx, 24th Ward, New York City", made by Peter Elbert Nostrand, C. E. and C. S., dated April 15, 1908, and filed in the Office of the Register of the County of New York on the 17th day of June, 1908, as Map number 1275, together with all the appurtenances and all the rights of Erna Caroline Anna Marie Kirchhoff, also known as Erna C. Kirchhoff, and Siegfried Richard Xaver Fritz Kirchhoff, also known as Siegfried R. Kirchhoff, in and to said premises.

Subject to any state of facts which an accurate survey would show.

[F. R. Doc. 43-18041; Filed, November 8, 1943; 11:14 a. m.]

[Vesting Order 2200]

KATHERINE ROMPF, ET AL.

In re: Seven-eighths interest in real property situated in Brooklyn, New York, interest in insurance policies and claims owned by Katherine Rompf and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Katherine Rompf, Wilhelm Konrad Rompf, Karl Johannes Rompf, Ludwig Rompf and Konrad Rompf, all of whose last known addresses are Long-Gons, Oberhessen, Germany, and Anna Maria Josephina Maier and Adolf Hornung, whose last known addresses are No. 4 Mannlichtsbrunnengasse, Baden-Baden, Lichtental, Germany, and No. 109 Oberbeuern, Baden-Baden, Lichtental, Germany, respectively, are residents of Germany and are nationals of a designated enemy country (Germany);

2. That the above-named nationals are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided seven-eighths interest in real property situated at 390 Shepherd Avenue, Brooklyn, New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Katherine Rompf, Wilhelm Konrad Rompf, Karl Johannes Rompf, Ludwig Rompf, Konrad Rompf, Anna Maria Josephina Maier, and Adolf Hornung, and each of them, in and to the following insurance policies:

Owner's, Landlord's and Tenant's liability policy No. OTS 25447 issued by the Sun Indemnity Company; Fire insurance policy No. 679400 issued by the New Hampshire Fire Insurance Company; Fire insurance policy No. 640815 issued by the Hartford Fire Insurance Company; Fire insurance policy No. 927579 issued by the New York Underwriters Insurance Company; and War Damage Corporation Certificate No. 596-54-3637, Pacific Fire Insurance Company, fiduciary agent, covering the property described in Exhibit A, attached hereto and by reference made a part hereof.

c. All right, title, interest and claim of any name or nature whatsoever of Katherine Rompf, Wilhelm Konrad Rompf, Karl Johannes Rompf, Ludwig Rompf, Konrad Rompf, Anna Maria Josephina Maier and Adolf Hornung, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Katherine Rompf, Wilhelm Konrad Rompf, Karl Johannes Rompf, Ludwig Rompf, Konrad Rompf, Anna Maria Josephina Maier and Adolf Hornung, and any of them, by Richter & Kaiser, Inc. and represented on the books of Richter & Kaiser, Inc. as a credit balance due Katherine Rompf, Wilhelm Konrad Rompf, Karl Johannes Rompf, Ludwig Rompf, Konrad Rompf, Anna Maria Josephina Maier and Adolf Hornung, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., September 20, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, of the City of New York, County of Kings, and State of New York, known and designated on a certain map entitled "Map No. 2, East New York Lands, part of the first section or Manufacturing District, surveyed by Martin G. Johnson, March 1838", and filed in the office of the Register of the County of Kings as Map No. 721 in May 1864, as and by lot number fifty-four, and which said lot is bounded and described as follows:

Beginning at a point on the westerly side of Shepherd Avenue, distant 55 feet southerly from the corner formed by the intersection of the westerly side of Shepherd Avenue with the southerly side of Glenmore Avenue; said point of beginning being also where the said side of Shepherd Avenue is intersected by the division line between lot number fifty-two and lot number fifty-four on said map; running thence westerly along said division line and part of the distance through a party wall, 100 feet to the rear line of lot number fifty-three on said map; thence southerly along said rear line of lot number fifty-three, 25 feet to the northerly line of lot number fifty-six on said map; and thence easterly along said northerly line of lot number fifty-six, and part of the distance through a party wall 100 feet to the westerly side of Shepherd Avenue, and thence northerly along the westerly side of Shepherd Avenue 25 feet to the point or place of beginning.

Also, all the right, title and interest of the party of the first part of in and to Shepherd Avenue lying in front of and adjoining said premises to the center line thereof.

[F. R. Doc. 43-18044; Filed, November 8, 1943; 11:15 a. m.]

[Vesting Order 2201]

ANTON HOLMSTROEM, ET AL.

In re: Real property and bank account owned by Anton Holmstroem, Hermann Holmstroem and Anna Marie Zumkowski.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Anton Holmstroem, Hermann Holmstroem and Anna Marie Zumkowski are Knooperweg 110, Kiel, Germany, Paulstrasse 16, Hamburg-Altona, Germany, and Moltkestrasse 8, Rendsburg, Germany, respectively, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Anton Holmstroem, Hermann Holmstroem and Anna Marie Zumkowski are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All right, title, interest and estate of Anton Holmstroem, Hermann Holmstroem, and Anna Marie Zumkowski in and to the real property situated in Burt County, Nebraska, known as Lots Thirteen (13), Fourteen (14), and Fifteen (15), Block Thirty-four (34), in the Village of Craig, Nebraska, and identified as that property conveyed by Charlotta Mattsson and others, to John P. Dalton, Trustee, by a certain deed recorded in the Record of Deeds of Burt County, Nebraska on January 16, 1941, in Book No. 33, Page 172, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the beneficial interest in, and the ownership of, such property.

b. All right, title, interest and claim of Anton Holmstroem, Hermann Holmstroem and Anna Marie Zumkowski in and to a certain bank account in the First National Bank of Omaha, Omaha, Nebraska, entitled "Blocked account of John P. Dalton, Trustee for heirs of Ellen Thulin, National of Germany," which is now due and owing to Anton Holmstroem, Hermann Holmstroem and Anna Marie Zumkowski, including but not limited to all security rights in and to any and all collateral for any or all of such account or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 20, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-18045; Filed, November 8, 1943; 11:15 a. m.]

[Vesting Order 2236]

ARTHUR KUGLER, ET AL.

In re: Real property situated in Barton and Vernon Counties, Missouri, bank account and claim owned by Arthur Kugler, Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Arthur Kugler, Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler are 3 Wohlerstrasse, Frankfurt (Main) Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Arthur Kugler, Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Barton County, Missouri, particularly described in Exhibit A, attached hereto and by reference made a part hereof, and identified as that property conveyed by Louis T. Hengstler, attorney in fact, to Frederick W. Dorr, by a certain deed executed June 6, 1927, and recorded in the Office of the Recorder, Barton County,

Missouri, on May 8, 1931 in Book 215 of Deeds, page 63, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in Vernon County, Missouri, particularly described in Exhibit B, attached hereto and by reference made a part hereof, and identified as that property conveyed by Louis T. Hengstler, attorney in fact, to Frederick W. Dorr, by a certain deed executed on June 6, 1927, and recorded in the Office of the Recorder, Vernon County, Missouri, on May 22, 1931, in Book 194 of Deeds, page 153, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title, interest and claim of Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler in and to a certain bank account in the Bank of California NA, San Francisco, California, which is due and owing to, and held for Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler, including but not limited to all security rights in and to any and all collateral for any or all of such accounts or portion thereof, and the right to enforce and collect the same, and

d. All right, title, interest and claim of any name or nature whatsoever of Arthur Kugler, Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Arthur Kugler, Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler, by the law firm of Dorr, Stevenson & Cooper, and represented on the books of the law firm of Dorr, Stevenson & Cooper as a credit balance due Arthur Kugler, Karl Kugler, Helene Kugler, Rudolf Kugler, Ida Ursula Kugler, Walter Kugler, and Bernhard Kugler, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-c and 3-d above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b above) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of a designated enemy country, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land situated in the County of Barton, State of Missouri, more particularly described as follows:

The Southwest Quarter (S. W. ¼) of Section Twenty-two (22), Township Thirty-one (31), Range Thirty-three (33), situated in Barton County, State of Missouri.

EXHIBIT B

All that tract or parcel of land situated in the County of Vernon, State of Missouri, more particularly described as follows:

All interest in that part of the Southeast Quarter (S. E. ¼) of the Southeast Quarter (S. E. ¼) of Section 22, South of the River, and in that part of the North Half (N. ½) of the Southeast Quarter (S. E. ¼) of Section Twenty-seven (27) South of the River; all in Township Thirty-eight (38), Range Thirty (30); being the same property conveyed by deed dated August 10, 1910, from E. G. Hudson, Virginia W. Hudson, James A. Hudson and Dora L. Hudson to Helen G. Krone, and filed for record on the 22d day of December, 1910, at 8:00 o'clock A. M., and recorded in Book 125, page 525 of the Records of Vernon County, State of Missouri.

[F. R. Doc. 43-18046; Filed, November 8, 1943; 11:15 a. m.]

[Vesting Order 2237]

MADDALENA ROSSI

In re: Real property, insurance policies, bank account and claim owned by Maddalena Rossi, also known as Maddalena Rossi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Maddalena Rossi, also known as Maddalena Rossi, is Province of Lucca Boveglio, Italy, and

that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That Maddalena Rossi, also known as Maddalena Rossi, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Washington, D. C., known as 1785 Florida Avenue, NW., particularly described as follows: Lot numbered Eight (8) in Patrick O'Hanlon and Jeremiah E. O'Connor's subdivision of lots in Block numbered One (1), "Washington Heights", as per plat of said subdivision recorded in Book 46, page 57, of the Records of the Office of the Surveyor of the District of Columbia, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Maddalena Rossi, also known as Maddalena Rossi, in and to the following insurance policies: Policy Number 41274 issued by the Automobile Insurance Company covering the improvements to the premises known as 1785 Florida Avenue, NW.; and Policy Number 53 G 70 issued by The Aetna Casualty and Surety Company covering certain plate glass windows which are a part of the improvements to the premises known as 1785 Florida Avenue NW.,

c. All right, title, interest and claim of Maddalena Rossi in and to a certain bank account with the Riggs National Bank, Washington, D. C., which is due and owing to, and held for, Maddalena Rossi, in the name of Guiseppi Giuliani, agent for Maddalena Rossi, including but not limited to all security rights in and to any and all collateral for such account or portion thereof and the right to enforce and collect the same, and

d. All right, title, interest and claim of any name or nature whatsoever of Maddalena Rossi in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Maddalena Rossi by H. Clifford Bangs, Washington, D. C., and represented on the books of H. Clifford Bangs as a credit balance due Maddalena Rossi, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-18047; Filed November 8, 1943; 11:15 a. m.]

[Vesting Order 2238]

HERMINE KUBLER HASSENCAMP AND  
OLIVER HASSENCAMP

In re: Interests in real property and bank accounts owned by Hermine Kubler Hassencamp and Oliver Hassencamp.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Hermine Kubler Hassencamp and Oliver Hassencamp is Kaulbach Strasse 19, Munich, Germany, and they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Hermine Kubler Hassencamp and Oliver Hassencamp are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided eight thirty-seconds interest of Hermine Kubler Hassencamp and the undivided one thirty-second interest of Oliver Hassencamp in and to the real property situated in Summit County, Ohio, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of Hermine Kubler Hassencamp in and to a certain bank account in the Dime Savings Bank Company, Akron, Ohio, which is due and owing to, and held for Hermine Kubler Hassencamp, in the name of George A. Kubler and Harvey Musser, as Agents, including but not limited to all security rights in and to any and all collateral for such account and the right to enforce and collect the same, and

c. All right, title, interest and claim of Oliver Hassencamp in and to the sum of \$1,300, constituting a portion of Savings Account No. 107113 in the Firestone Park Trust & Savings Bank, Firestone Park, Akron, Ohio,

which is due and owing to, and held for Oliver Hassencamp in the name of Arthur S. Mottinger, Guardian of the Person and Property of Oliver Hassencamp, a Minor, including but not limited to all security rights in and to any and all collateral for such account or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c above is necessary for the maintenance and safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All those tracts or parcels of land situated in the City of Akron and County of Summit in the State of Ohio, more particularly described as follows:

PARCEL I

That certain tract or parcel of land being the south one-half of Lot Number Fifteen

(No. 15) in Block Number One (No. 1) King's Addition to Akron, as surveyed and numbered by Albert G. Mallison, Surveyor, and recorded in the records of Portage County, Book "U", Pages 555 to 566 inclusive, said premises being more particularly described as follows: Beginning at the southeast corner of said Lot Number Fifteen, thence in a westerly direction, along the south line of said lot and in the center of a brick wall, One Hundred Feet to the southwest corner of said lot No. 15; thence in a northerly direction along the east line of an alley, Thirty feet to the center of a brick wall; thence easterly on a line parallel to the south line of said Lot No. 15 and in the center of a brick wall, directly through the center of said Lot No. 15, One Hundred feet to the East line of said lot; thence south along the east line of said lot Thirty feet to the place of beginning.

PARCEL II

That certain tract or parcel of land being the south Twenty feet (20 feet) of Lot Number Twelve (No. 12) in Block Number One (No. 1) Kings Addition to Akron, as surveyed and numbered by Albert G. Mallison, Surveyor, and recorded in the records of Portage County, Book "U", Pages 555 to 566 inclusive.

[F. R. Doc. 43-18048; Filed, November 8, 1943; 11:15 a. m.]

[Vesting Order 2239]

SUMISATO ARIMA

In re: Real property situated in Portland, Oregon, and fire insurance policies owned by Sumisato Arima.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Sumisato Arima is City of Ohishimura, County of Kibigun, State of Okayama, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Sumisato Arima is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated at 2632 North Interstate Avenue, Portland, Oregon, more fully described as the South Forty (40) feet of Lot Two (2), and all of Lot Three (3), Block One (1), Subdivision of Proebstel's Addition to Albina, within the corporate limits of the City of Portland, Multnomah County, State of Oregon, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, and interest of Sumisato Arima in and to certain fire insurance policies, particularly described in Exhibit A, attached hereto and by reference made a part hereof, insuring the premises located at 2632 North Interstate Avenue, Portland, Oregon,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national in-

terest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record, held by or for persons who are not nationals or designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

Fire Insurance Policies insuring Sumisato Arima against loss on the premises situated at 2632 and/or 2638 North Interstate Avenue, Portland, Oregon.

Insuring Company, Policy Number, Amount, and Date of Expiration

Springfield Fire and Marine, 233905, \$3,000, 11-21-1943.

North River, 4207173, \$2,000, 4-3-1944.

North River, 208777, \$1,000, 12-5-1943.

All of these policies were written by Peninsula Mortgage Company, 8527 North Jersey Street, Portland, Oregon, as agent for the insurers. The policies now are in the possession of Mr. Frank Deich, Attorney, 1104 Guardian Building, Portland, Oregon.

[F. R. Doc. 43-18049; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2240]

CHRISTIAN SCHOENBERGER, JR.

In re: Interests in real property and in a fire insurance policy owned by Christian Schoenberger, Jr.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Christian Schoenberger is Bruderstrasse 2, Hamburg, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Christian Schoenberger is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All right, title, interest, and estate, both legal and equitable, of Christian Schoenberger in and to the real property situated in Milwaukee, Wisconsin, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims of Christian Schoenberger for rents, refunds, benefits, or other payments arising from the ownership of such property, including but not limited to all right, title, interest and claim in and to such real property, of any name or nature whatsoever, contingent or otherwise and whether or not matured, granted to Christian Schoenberger under the provisions of the Last Will and Testament of Christ Schoenberger, deceased, together with all security rights thereby created and the right to enforce such security rights, and

b. All right, title, and interest of Christian Schoenberger in and to fire insurance policy No. 22525 issued by the Niagara Fire Insurance Company, insuring the premises situated at 841 North 26th Street, Milwaukee, Wisconsin, and particularly described in Exhibit A attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land situated in the City of Milwaukee, County of Milwaukee, and State of Wisconsin, more particularly described as follows:

Lot numbered Three (3) in Block numbered Two Hundred Seventy-six (276) in Harrison's Subdivision of a part of the West One Hundred (W. 100) acres of the Northwest Quarter (N. W. ¼) of Section Thirty (30), Township Seven (7) North, Range Twenty-two (22) East, in the 16th Ward.

[F. R. Doc. 43-18050; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2241]

IDA BECKER WEIDINGER

In re: Real property, claim and fire insurance policy, owned by Ida Becker Weidinger, formerly known as Ida Becker.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Ida Becker Weidinger, formerly known as Ida Becker, is Hauzenberg b. Passau, Niederbayern, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Ida Becker Weidinger, formerly known as Ida Becker, is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the Borough of Verona, County of Essex and State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim, of any name or nature whatsoever, of Ida Becker Weidinger, formerly known as Ida Becker, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to said Ida Becker Weidinger by Wm. Whitney Ames, and represented on the books of Wm. Whitney Ames as a credit balance due said Ida Becker Weidinger, including but not limited to all security rights in and to any and all collateral for any and all of such obligations, and the right to enforce and collect such obligations, and

c. All right, title, and interest of Ida Becker Weidinger, formerly known as Ida Becker,

in and to fire insurance policy No. 2237, issued by the Continental Fire Insurance Company, 80 Maiden Lane, New York, New York, insuring the premises described in subparagraph 3-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order.

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All the following tract or parcel of land and premises herein particularly described, situated, lying and being in the Borough of Verona, in the County of Essex, State of New Jersey, bounded and described as follows:

Beginning at a point in the Southerly side of Sutton Place distant Westerly 315 feet from the Westerly side of Wayland Drive and at the corner of land recently conveyed to Jacobus; thence along said Southerly side of Sutton Place North 41 degrees 34 minutes

West 60 feet to a corner; thence through property now or formerly of Stephen Bergdal, Inc. South 48 degrees 26 minutes West 140 feet to the rear line of lots fronting on Sutton Place; thence along said last mentioned line South 41 degrees 34 minutes East 60 feet to a corner and land of Jacobus aforesaid; thence along said last mentioned land North 48 degrees 26 minutes East 140 feet to the Southerly side of Sutton Place and the point or place of beginning.

Together with all the right, title and interest in and to so much of Sutton Place as lies in front of said premises, to the centre line thereof.

[F. R. Doc. 43-18051; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2244]

**GUSTAV AND JULIE PILSTER**

Re: Real property and bank account held in trust for Gustav Pilster and Julie Pilster.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Gustav Pilster and Julie Pilster is W. 8 Unter Den Linden 19, Berlin, Germany, and that each is a resident of Germany and a national of a designated enemy country (Germany);

2. That Gustav Pilster and Julie Pilster are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

(a) All right, title, interest and claim of Gustav Pilster and Julie Pilster and the benefits secured to them, and each of them, in and to that certain trust estate being administered by the Citizens Trust & Savings Bank, Los Angeles, California, predecessor in interest of Citizens National Trust & Savings Bank of Los Angeles, as trustee, pursuant to trust agreement executed May 27, 1927 between Gustav Pilster, Julie Pilster and the Citizens Trust & Savings Bank, together with all rights, powers and authority of revocation, or of modification, of said agreement, and specifically the right to demand a conveyance of the property constituting the corpus of the trust reserved by the said Gustav Pilster and Julie Pilster, and

(b) All right, title, interest and claim of Gustav Pilster and Julie Pilster in and to a certain trust account with the Citizens National Trust & Savings Bank of Los Angeles, Los Angeles, California, particularly identified as Trust Account No. 2755, which is held for and in the name of and owing to Gustav Pilster and Julie Pilster, including but not limited to all security rights in and to any and all collateral for all or part of such obligation, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consulta-

tion and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-18052; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2245]

**CECELIA AND NICOLA BONFIGLIO**

Re: Interest in real property, claim, and portion of bank account owned by Cecelia and Nicola Bonfiglio.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Cecelia Bonfiglio, also known as Cecilia Bonfiglio, and Nicola Bonfiglio are Salita S. Maria Santa N. 51, and Lavagna, Genoa, Italy, respectively, and that they are residents of Italy and nationals of a designated enemy country (Italy);

2. That Cecelia Bonfiglio, also known as Cecilia Bonfiglio, and Nicola Bonfiglio are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. An undivided  $\frac{1}{2}$  interest, identified as the interest which was distributed to Cecelia Bonfiglio, also known as Cecilia Bonfiglio, in the Matter of the Estate of N. Bonfiglio and in the Matter of the Estate of Steffano Bonfiglio, deceased; and an undivided  $\frac{1}{2}$  interest, identified as the interest which was distributed to Nicola Bonfiglio in the Matter of the Estate of N. Bonfiglio, deceased, in and to all of the real property situated in Los Angeles County, California, particularly de-

scribed in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, interest and claim of Cecelia Bonfiglio, also known as Cecilia Bonfiglio, and Nicola Bonfiglio in and to a certain sum of money, representing accrued and unpaid rents, held by Foster and Kleiser Company, Eddy Street at Pierce, San Francisco, California, and represented on the books of Foster and Kleiser Company as a credit balance owing to Cecelia Bonfiglio and Nicola Bonfiglio, including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to enforce and collect such obligations, and

c. All right, title, interest and claim of Cecelia Bonfiglio, also known as Cecilia Bonfiglio, and Nicola Bonfiglio in and to the sum of \$500.00, constituting a portion of certain bank accounts in the Wells Fargo Bank and Union Trust Company, San Francisco, California, which is due and owing to and held for and in the name of Cecelia Bonfiglio and Nicola Bonfiglio, including but not limited to all security rights in and to any and all collateral for any or all of such accounts or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b above) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons other than Cecelia Bonfiglio and Nicola Bonfiglio, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Prop-

erty Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 21, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All that certain parcel and tract of land in the City and County of Los Angeles, and State of California, and more particularly described as follows:

Lots 8, 9, 10, the North six (6) feet of the South twelve (12) feet of Lots 11 and 12, the Westerly twenty-four (24) feet of lot 13, all of lots 19, 20, 21 and 22, of S. Strohm's Subdivision of Lot 5 of the Freeman Tract, and North half of tract marked J. P. Crosthwaite on the map of said Freeman Tract, as recorded in Book 7, page 78, Miscellaneous Records of said Los Angeles County.

[F. R. Doc. 43-18053; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2247]

FREDERICK MEYER

Re: Real properties, two second mortgages and a claim owned by Frederick Meyer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Frederick Meyer is a citizen of the United States, whose last known address was 89 Drakenburg, Province of Hanover, Germany, and is a national of a designated enemy country (Germany);

2. Finding that Frederick Meyer is the owner of the property described in subparagraph 3 hereof;

3. Finding that the following described property:

a. Real property situated at 904 Morris Avenue, New York, New York, particularly described in Exhibit "A" attached hereto and made a part hereof, together with all of the fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property;

b. Real property situated at 1076 Teller Avenue, New York, New York, particularly described in Exhibit "B" attached hereto and made a part hereof, together with all of the fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property;

c. All right, title and interest of Frederick Meyer, and of every other national of a designated enemy country, in and to any and all obligations secured by a second mortgage which was executed on May 26, 1926, by Margaret Branda (formerly Margaret Tyrabasso), and recorded on May 27, 1926 in the Register's Office, Bronx County, New York, in Liber 1043 of Mortgages, Page 93, including but not limited to all rights of Frederick Meyer, and of every other national of a designated enemy country, in and to any and all collateral (including the aforesaid second

mortgage), for any or all of such obligations and the right to enforce and collect such obligations, and the right to the possession of all instruments evidencing such obligations;

d. All right, title, and interest of Frederick Meyer, and of every other national of a designated enemy country, in and to any and all obligations secured by a second mortgage which was executed on May 9, 1923 by Rosie Clar and recorded in the Register's Office, Bronx County, New York, in Liber 694 of Mortgages, Page 97, and assigned to Frederick Meyer, by assignment recorded in the Register's Office, Bronx County, New York, in Liber 706 of Mortgages, Page 76, including but not limited to all rights of Frederick Meyer, and of every other national of a designated enemy country, in and to any and all collateral (including the aforesaid second mortgage), for any or all of such obligations and the right to enforce and collect such obligations, and the right to the possession of all instruments evidencing such obligations;

e. All right, title, interest and claim of any name or nature whatsoever of Frederick Meyer, and of every other national of a designated enemy country, in and to any and all obligations contingent or otherwise and whether or not matured owing to Frederick Meyer by George H. Scheele, 748 Melrose Avenue, New York, New York, arising out of the management of the real property and mortgages described in subparagraphs 3-a, 3-b, 3-c and 3-d hereof, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

is property within the United States owned and controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-e hereof is necessary for the maintenance and safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 22, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All those lots of land with the building and improvements thereon erected, situate, lying and being in the Borough of the Bronx, City of New York, designated as lots 10 and 11 on a certain map entitled, "Map of 20-lots between 161st Street and 162nd Street in New York City the property of John A. Aspinwall and others" made by Smith & Butt, C. S. dated December 3, 1886, and filed in the office of the Register of the County of New York as Map No. 990 and a strip of land in front of said lots which taken together are bounded and described as follows:

Beginning at a point on the easterly side of Morris Avenue as legally opened, where the same would be intersected by the prolongation westerly of the division line between lots 9 and 10 on said map, which point is distant 217 feet northerly from the corner formed by the intersection of the said easterly side of Morris Avenue as legally opened with the northerly side of 161st Street; running thence easterly along said line and the division line between lots 9 and 10, and parallel with the said northerly side of 161st Street, 101 feet to the westerly line of lot 13 on said map; thence Northerly along the said westerly line of lot 13, and parallel with the said easterly side of Morris Avenue 50 feet to the division line between lots 11 and 12; thence Westerly parallel with the said northerly side of 161st Street, and along the division line between lots 11 and 12 and a line in prolongation westerly thereof, 101 feet to the said easterly side of Morris Avenue, as legally opened; thence Southerly along the said easterly side of Morris Avenue 50 feet to the point or place of beginning.

EXHIBIT B

All that certain lot piece or parcel of land with the buildings and improvements thereon erected situate lying and being in the Borough and county of the Bronx in the city and state of New York bounded and described as follows:

Beginning at a point on the easterly side of Teller Avenue distant fifty feet southerly from the corner formed by the intersection of the southerly side of East 166th Street with the easterly side of Teller Avenue thence easterly parallel with east 166th Street and part of the distance through a party wall one hundred and two and sixty one hundredths (102.61) feet thence southerly parallel with Clay Avenue forty three (43) feet thence westerly parallel with 166th Street and part of the distance through a party wall one hundred and three and thirty two hundredths (103.32) feet to the easterly side of Teller Avenue thence northerly along the easterly side of Teller Avenue forty three (43) feet to the point or place of beginning.

[F. R. Doc. 43-18054; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2252]

EDUARD THOMASEN, ET AL.

Re: Real property and a claim, owned by Eduard Thomasen, and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Eduard Thomasen and Ranka Schmidt are Rheinshagenstrasse 46, Ronsdorf, Rheinland, Germany and Lutterothstrasse 82, Hamburg, Germany; and the last known address of Wilhelmine Prüss and Frieda Dethlefsen is Präsidentenweg 21, Hamburg-Altona, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Eduard Thomasen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-half interest in and to the real property situated in Allegany County, Maryland, particularly described in Exhibit A, attached hereto and by reference made a part hereof, identified as the interest which was devised under the provisions of the Last Will and Testament of Charles N. Thomasen, deceased, to Eduard Thomasen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Eduard Thomasen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen, in and to a one-half interest in any and all obligations, contingent or otherwise and whether or not matured, owing to the said Eduard Thomasen, Ranka Schmidt, Wilhelmine Prüss and Frieda Dethlefsen, represented on the books of the Liberty Trust Company as a credit balance due George W. Legge and Lena Slever, Executors, c. t. a. of the Estate of Charles N. Thomasen, deceased, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

No. 222—7

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington D. C., on September 22, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

All those two lots, pieces or parcels of ground, situate, lying and being on the Southerly side of the National Turnpike Road, leading Westerly and about three miles from the City of Cumberland, Allegany County, Maryland, being Lots Nos. 23 and 24, of a series of lots as laid out by the party of the first part and which is described in one parcel as follows:

Beginning for the same at a point on the Southeasterly side of a thirty foot street, or road as laid out by the party of the first part, said point being also 30 feet distant South 57 degrees 55 minutes, East, from the end of the second line of a deed from the party of the first part to the party of the second part, recorded among the Land Records of Allegany County in Liber J. W. No. 108, folio 393, and running thence with said second line extended, South 57 degrees 55 minutes East 282½ feet to the limits of the Georges Creek and Cumberland Railroad Company's right of way, and with said limits North 36 degrees 50 minutes East 50½ feet, thence North 41 degrees 15 minutes West 290 feet to said street or road, and with it South 32 degrees 05 minutes West 132 feet to the beginning.

Together with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

[F. R. Doc. 43-18055; Filed, November 8, 1943;  
11:16 a. m.]

[Vesting Order 2253]

JOHN NAGY, ET AL.

Re: Real property, a fire insurance policy, and a claim owned by John Nagy, Michael Nagy, Sr., Michael Nagy, Jr., Mary Nagy Kozar, Elizabeth Bodnarik and Anna Nagy.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of John Nagy, Michael Nagy, Sr., Michael Nagy, Jr., Mary Nagy Kozar, Elizabeth Bodnarik and Anna Nagy is the Town of Kista, Province of Zemplen Megge, Posta Bodas Ulak, Hungary, and that they are residents of Hungary and nationals of a designated enemy country (Hungary);

2. That John Nagy, Michael Nagy, Sr., Michael Nagy, Jr., Mary Nagy Kozar, Elizabeth Bodnarik and Anna Nagy are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in City of Trenton, Mercer County, New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, and interest of John Nagy, Michael Nagy, Sr., Michael Nagy, Jr., Mary Nagy Kozar, Elizabeth Bodnarik and Anna Nagy in and to Fire Insurance Policy No. D-4941 issued by the Firemen's Insurance Company of Newark, New Jersey, insuring the premises described in subparagraph 3-a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Hungary);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property

Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

## EXHIBIT A

All that certain lot of land and premises situate, lying and being in the City of Trenton, County of Mercer and State of New Jersey and being the easterly one-half of Lot No. 226 on a plan of lots of the Home Land Association, duly filed in the Mercer County Clerk's Office bounded and described as follows, to wit:

Beginning at a point on the south side of Orange Street said point being opposite the middle of the partition wall dividing the house hereby conveyed from the house adjoining on the west and thence (1) southerly and through the middle of said partition wall and continuing the same course one hundred (100) feet; thence (2) easterly twelve (12) feet and six (6) inches to the westerly line of Lot No. 227 on said plan; thence (3) northerly and along the westerly line of said lot one hundred (100) feet to Orange Street aforesaid and thence (4) westerly and along the said street twelve (12) feet and six (6) inches to the place of beginning.

Being a part of the said premises conveyed to Sebastian Buschler by George Houseman and wife by deed dated March 1, 1889, and recorded in the Mercer County Clerk's Office in Book of Deeds, Vol. 165, page 199.

Together with all and singular the buildings, improvements, ways, woods, waters, water-courses, rights, liberties, privileges, hereditaments, and appurtenances to the same belonging or in anywise appertaining and reversion and reversions, remainder and remainders, rents, issues and profits thereof and of every part and parcel thereof.

[F. R. Doc. 43-18056; Filed, November 8, 1943; 11:16 a. m.]

[Vesting Order 2254]

## LAURA MEYER SENTRUP AND PAUL SENTRUP

Re: An undivided interest in real property situated in King County, Washington, owned by Laura Meyer Sentrup and Paul Sentrup, and a claim in litigation owned by Laura Meyer Sentrup.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Laura Meyer Sentrup and Paul Sentrup are, respectively, Neuss on the Rhoin, Germany, and Boesensell, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Laura Meyer Sentrup and Paul Sentrup are the owners of the property described in subparagraph 3-a hereof; that Laura Meyer Sentrup is the owner of the property described in subparagraph 3-b hereof;

3. That the property described as follows:

a. An undivided one-tenth interest of Laura Meyer Sentrup and an undivided one-tenth interest of Paul Sentrup, identified as the interests which were acquired by them in the matter of the Estate of E. F. Sentrup, deceased, in and to the real property situated in the County of King, State of Washington, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such claims, and

b. All right, title, interest and claim of Laura Meyer Sentrup in and to any and all claims against the Estate of Emil Ferdinand Sentrup, deceased, and particularly in and to a certain claim in litigation entitled: "Laura Meyer Sentrup, a widow, Plaintiff, vs. Hazel Sentrup, as Administratrix of the Estate of Emil Ferdinand Sentrup, deceased, Defendant", filed in the Superior Court of the State of Washington for King County, Cause No. 309819, including but not limited to all rights of reimbursement, proceeds, judgments, and specifically the right to file, prosecute, enforce and collect such claim, including but not limited to the right to continue the litigation of a claim in the Superior Court of the State of Washington for King County, and the right to enforce and collect such claim,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 22, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

## EXHIBIT A

All that tract or parcel of land situated in the County of King, State of Washington, more particularly described as follows:

Beginning at the southwest corner of Government Lot Two (2), Section Eleven (11), Township Twenty-two (22) North, Range Four (4) East W. M.; thence North 12.40 chains to the east bank of White River; thence along said East bank north thirty (30) degrees east 3.10 chains; thence east 38.46 chains; thence south 15.08 chains to the southeast corner of Benson Farm; thence west 40 chains to beginning, containing sixty (60) acres more or less.

[F. R. Doc. 43-18057; Filed, November 8, 1943; 11:17 a. m.]

[Vesting Order 2255]

## MARTHA HAAG

Re: Real property, a claim and insurance policies owned by Martha Haag.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Martha Haag is 80 Moltke Strasse, Stuttgart, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Martha Haag is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in Philadelphia, Pennsylvania, and known as 6137 Ditman Street, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Martha Haag in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Martha Haag by Otto Hurm, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations;

c. All right, title and interest of Martha Haag in and to a fire insurance policy in the amount of \$2,300 issued by the Phoenix Insurance Company of Hartford, Connecticut, expiring July 21, 1945 and insuring the premises situated at Philadelphia and known as 6137 Ditman Street, Philadelphia, Pennsylvania;

d. All right, title and interest of Martha Haag in and to a war damage insurance policy in the amount of \$3,000 issued by the War Damage Corporation expiring November 9, 1943 and insuring the premises situated at Philadelphia, Pennsylvania, and known as 6137 Ditman Street;

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b, 3-c and 3-d above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a

above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 22, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

All that certain lot or piece of ground with the messuage or tenement thereon erected situate on the southeasterly side of Ditman Street at the distance of one hundred eighty feet Southwestwardly from the Southwesterly side of Devereaux Street in the Forty-first Ward of the City of Philadelphia.

Containing in front or breadth on the said Ditman Street twenty feet and extending in length or depth Southeastwardly of that width one hundred feet.

Being the same premises which John H. Williams et ux by indenture bearing date the fourteenth day of March A. D. 1919 and recorded at Philadelphia in deed book J. M. H. No. 525 page 212 &c. granted and conveyed unto Elizabeth Feery widow in fee.

[F. R. Doc. 43-18058; Filed, November 8, 1943; 11:17 a. m.]

[Vesting Order 2198, Amendment]

JOSEPHINE GRAZZINI

Re: Interest in real properties and in bank account, owned by Josephine Grazzini, also known as Giuseppina Grazzini.

Vesting Order Number 2198, dated September 20, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Josephine Grazzini, also known as Giuseppina Grazzini, is c/o Salvatore or Giuseppina Pina, via L. Gerolamo F. Palestrina, Rome, Italy, and that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That Josephine Grazzini is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-half interest, identified as the interest of Josephine Grazzini, also known as Giuseppina Grazzini, acquired by her pursuant to an order of the Superior Court of the State of California in and for the County of San Mateo, distributing the assets of the estate of Armando Grazzini, deceased, which order was dated October 2, 1939, and recorded the same date in the Office of the Recorder of the said County and State in Volume 861 of Official Records at page 182, in two parcels of land situated in San Mateo County, California, particularly described in Exhibits A and B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. The undivided one-half interest, identified as the interest of Josephine Grazzini, also known as Giuseppina Grazzini, acquired by her pursuant to an order of the Superior Court of the State of California in and for the County of San Mateo, distributing the assets of the estate of Armando Grazzini, deceased, which order was dated October 2, 1939, and recorded on the same date in the office of the Recorder of the City and County of San Francisco, State of California, in Book 957 of Official Records at page 347, in the parcel of land situated in San Francisco County, California, particularly described in Exhibit C attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. A certain bank account with the American Trust Company, 4900 Third Street, San Francisco, California, which bank account is due and owing to and held for Josephine Grazzini, also known as Giuseppina Grazzini, in the name of Angelo Antongiovanni and Jean Antongiovanni, including but not limited to all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect such account, is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof)

belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 26, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

That certain portion of lot No. 6, Map of town of Pescadero, County of San Mateo, State of California, bounded and particularly described as follows:

Commencing at the northeasterly corner of Main and San Gregorio Streets; thence in a Northerly direction along the Easterly boundary of San Gregorio Street 103 feet, more or less to the property of F. S. Duarte; thence at right angles in an Easterly direction and along the Southerly boundary of said F. S. Duarte property 41 feet; thence in a Southerly direction and parallel with the San Gregorio Street to the Northerly line of Main Street; thence in a Westerly direction along

said line of Main Street to the point of commencement.

## EXHIBIT B

That certain lot or parcel of land situated in the town of Pescadero, County of San Mateo, State of California, bounded and particularly described as follows:

Beginning at the point of intersection of the Northerly line of Main Street with the dividing line between lots 4 and 5 of Map of City of Pescadero which map was filed in Book 1 of Patents at page 82, Santa Cruz County, said point being distant along said line of Main Street 200 feet Easterly from the Easterly line of San Gregorio Street; thence along said dividing line between Lots 4 and 5, N. 8°15' W. 200 feet to the Northerly corner between said Lots 4 and 5; and on the Southerly line of Lot 7; thence along said Southerly line N. 80°45' E. 94.63 feet to the corner common to said Lots 4 and 7; thence along the Easterly line of Lot 7 and along the Northeastly boundary of those parcels described in Deed to Coast Side Transportation Company dated May 14, 1926 and recorded May 14, 1926 in Book 239 of Official Records at page 31 and Deed to Manuel Goularte dated August 28, 1916 and recorded September 11, 1916 in Book 259 of Deeds at page 29 N. 38° W. 131.00 feet to the Easterly corner between Lots 7 and 8; thence along the Easterly line of said Lot 8 and along the Easterly boundary of those parcels described in deed to Manuel Goularte before referred to and Deed to J. C. Williamson, dated June 8, 1909 and recorded June 30, 1909 in Book 164 of Deeds at page 520, N. 11°45' W. 50.72 feet to a ¾" iron pipe monument set at the Southwesterly corner of the Jose M. Gomez 2.884 acre tract; thence along a fence being also the Southerly boundary of that certain parcel described in Deed to John Luiz dated January 10, 1925 and recorded April 3, 1925 in Book 144 of Official Records at page 189, S. 84°28' E. 196.32 feet to a point which is in the production Northerly of a fence line running N. 4°39'30" W. from the above-mentioned Northerly line of Main Street; thence along said Northerly production and fence line S. 4°39'30" E. 316.30 feet to said Northerly line of Main Street; thence along said Northerly line S. 80°45' W. 197.37 feet to the point of beginning.

Containing 1.444 acres and being portion of Lot numbered three (3) and all of Lot numbered four (4) as shown on Map of the City of Pescadero and being portions of the lands adjoining said Lots 3 and 4.

## EXHIBIT C

That certain lot or parcel of real property in the City and County of San Francisco, State of California, particularly described as follows:

Beginning at the point of intersection of the northerly line of States Street with the westerly line of Castro Street; and running thence northerly along said line of Castro Street 25 feet; thence at a right angle westerly 100 feet; thence at a right angle southerly 25 feet to the northerly line of States Street; and thence at a right angle easterly along said line of States Street 100 feet to the point of beginning.

Being lot No. 8 in Block No. 14, as per map of Flint Tract Homestead Association, recorded April 10, 1874, in the office of the Recorder of the City and County of San Francisco, State of California.

[F. R. Doc. 43-18043; Filed, November 8, 1943; 11:17 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Rev. ODT 3, Supp. Order 99]

ADAMS TRANSFER & STORAGE COMPANY,  
ET AL.

COORDINATED OPERATIONS BETWEEN POINTS  
IN MISSOURI AND ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the carriers named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended,<sup>1</sup> a copy of which plan is attached hereto as Appendix 2,<sup>2</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority

of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised 99," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective November 10, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of November, 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

## APPENDIX 1

1. Adams Transfer & Storage Company, (a corporation), 228-236 West Fourth St., Kansas City, Missouri.
2. Anderson Motor Service Company, (a corporation), 1516 N. Fourteenth Street, St. Louis, Missouri.
3. Chas. J. Hoffman, (an individual), doing business as Chicago-Kansas City Freight Line, 1609 Charlotte Street, Kansas City, Missouri.
4. Ezra Knaus and Mary Jane Knaus, (a partnership), doing business as Knaus Truck Lines, 801 East 17th Street, Kansas City, Missouri.
5. M. K. & C. Truck Lines, (a corporation), 1401 Independence, Kansas City, Missouri.
6. Orscheln Bros. Truck Lines, Inc., (a corporation), 339 N. Williams Street, Moberly, Missouri.

[F. R. Doc. 43-17989; Filed, November 6, 1943; 10:23 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

## LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following order was filed with the Division of the Federal Register on November 3, 1943.

<sup>1</sup> 7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582.

<sup>2</sup> Filed as part of the original document.

*Order Number and Name*

RMPR 161, Order 33; Doernbecher Mfg. Co., et al.

The following orders were filed with the Division of the Federal Register on November 4, 1943.

MPR 127, Order 14, Amendment 1; Wellington Sears Co.

MPR 188, Order 833; Wesco Water Paints, Inc.

2d RMPR 213, Order 12; Moore Co.

Copies of these orders may be obtained from the Printing and Distribution Branch of the Office of Price Administration.

ERVIN H. POLLACK,

Head, Editorial and Reference Section.

[F. R. Doc. 43-17974; Filed, November 5, 1943; 4:49 p. m.]

[Order 20 Under MPR 225]

COMMERCIAL OR JOB PRINTERS IN DENVER, COLORADO

ORDER GRANTING ADJUSTMENT

Order No. 20 under Maximum Price Regulation 225. Printing and Printed Paper Commodities.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and in accordance with § 1347.469 of Maximum Price Regulation 225, *It is hereby ordered:*

(a) Commercial or job printers (identified further in paragraph (c) below) who do a printing business in Denver, Colorado, may sell and deliver to any person and any person may buy or receive from them any printed paper commodity or service in connection therewith, the sale of which is subject to Maximum Price Regulation 225, at prices which shall not exceed the following:

(1) *Maximum prices governed by § 1347.452 of Maximum Price Regulation 225.* The price set forth in § 1347.452 with the addition of a sum equal to the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(2) *Maximum prices governed by § 1347.453 of Maximum Price Regulation 225.* The price determined in accordance with § 1347.453, altered by a recomputation of production charges (§ 1347.453 (b)) to include the increase in the cost of producing the commodity or rendering the service due to wage increases to seller's employees authorized by the National War Labor Board by an order issued subsequent to March 31, 1942.

(b) In the foregoing computations no additional allowance shall be made for that portion of any wage increase which is retroactive to a date prior to the sale of the commodity or service.

(c) Commercial or job printers for the purpose of this order mean persons engaged in commercial or job printing as that term is commonly understood in

the trade and whose business consists chiefly in the production of specific printing jobs for individual customers, such jobs including but not limited to the printing to order of the following: commercial forms; letterheads and envelopes; sales announcements, enclosures, circulars and other advertising matter; legal documents or forms for state and local governments.

(d) Every seller increasing his maximum prices under the provisions of this order shall file with the Regional Office of the Office of Price Administration in the region in which he does business a report of the increased price. This report shall be filed on or before the date of sale. The seller may thereupon use the increased prices: *Provided, however,* That if the Office of Price Administration shall by letter mailed to him within 30 days from the filing of the report disapprove the computation of the increase, then the prices charged prior to the receipt of such disapproval shall be adjusted in accordance therewith. In the absence of such disapproval the increased prices shall be deemed to have been approved, subject, however, to non-retroactive written disapproval at any later time by the Office of Price Administration.

For prices established under § 1347.452 a statement of the computation of the increase shall be set forth in the report. For prices established under § 1347.453 Form 325:1 shall be used, setting forth the new rates for production charges on tables 3-9 inclusive and the computation used in their determination.

(e) All prayers of the petitions not granted herein are denied.

(f) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

NOTE: All reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. 20 shall become effective November 8, 1943.

Issued this 6th day of November 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-18018; Filed, November 6, 1943; 4:27 p. m.]

Regional and District Office Orders.

[Region VI Order G-6 Under SR 15 and MPR 280]

FLUID MILK IN PLATTSMOUTH, NEBR.

Order No. G-6 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specified food products. Adjustment of fluid milk prices for Plattsmouth, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation

and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum prices for sales at wholesale in bulk.* The maximum price for the sale and delivery of fluid milk at wholesale in bulk in the Plattsmouth, Nebraska area shall be 36¢ per gallon.

(b) *Maximum prices in bottles and paper containers.* The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Plattsmouth, Nebraska area shall be:

Container size:	Wholesale (cents)	Retail (cents)
Gallon-----	36	44
Quart-----	9½	11½
Pint-----	6	7
½ pint-----	3½	5

(c) *Definitions.* For the purposes of this order:

(1) Sales and deliveries within the Plattsmouth, Nebraska area shall mean:

(i) All sales made within the city limits of Plattsmouth, Nebraska and all sales at or from an establishment located in Plattsmouth, Nebraska; and

(ii) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Plattsmouth, Nebraska.

(2) Milk shall mean cows' milk having a butterfat content of not less than 3.2 percent or the legal minimum established by statute or municipal ordinance, bottled, distributed and sold for consumption in fluid form as whole milk.

(3) Sales at wholesale shall for the purpose of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(d) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall apply.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective November 1, 1943.

(566 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of October 1943.

RAYMOND S. MCKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-18020; Filed, November 6, 1943; 4:26 p. m.]

[Region VI Order G-8 Under SR 15 and MPR 280]

FLUID MILK IN JACKSONVILLE, ILL.

Order No. G-8 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under § 1351.807 (a) of Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices for sales to State institutions in Jacksonville, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Ad-

ministration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum price.* The maximum price for the sale and delivery of fluid milk in bulk or in containers to state institutions in Jacksonville, Illinois shall be 39¢ per gallon.

(b) *Definitions.* For the purpose of this order:

(1) State institutions in Jacksonville, Illinois shall mean:

Illinois School for the Deaf.  
Illinois School for the Blind.  
Illinois State Hospital for the Insane.

(2) Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

(c) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall apply.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective November 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of November 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-18019; Filed, November 6, 1943;  
4:26 p. m.]

[Region VI Order G-15 Under MPR 329]

FLUID MILK IN CHAMPAIGN, URBANA, AND RANTOUL, ILL.

Order No. G-15 under Maximum Price Regulation No. 329. Purchase of milk from producers for resale as fluid milk. Producers milk prices in Champaign, Urbana, and Rantoul, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$3.05 per cwt. for 4% milk, plus not more than 5¢ for each  $\frac{1}{10}$  of a pound of butterfat in excess of 4% and minus not less than 5¢ for each  $\frac{1}{10}$  of a pound of butterfat below 4%.

(b) This order shall apply to all purchases of milk by distributors whose bottling plants are located within the cities of Champaign, Urbana, or Rantoul, Illinois, or who sell 50% of the milk bottled by them in such cities.

(c) Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and § 302 of the Emergency Price

Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall be effective as of November 1, 1943.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 30th day of October 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-18021; Filed, November 6, 1943;  
4:26 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-34 and 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSN.,  
ET AL.

### ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of November 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as trustees of Gas and Electric Associates, Francis G. Goodale, as trustee of Utility Investing Trust, Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, and Stanley Clarke, as trustee of Associated Gas and Electric Company; File No. 59-34; and in the matter of New England Gas and Electric Association; File No. 59-56.

The Commission, by order dated February 17, 1943, having instituted proceedings with respect to New England Gas and Electric Association under sections 11 (a), 11 (b) (2), 12 (f), 12 (g), 15 (f), and 20 (a) of the said Act, and having consolidated such proceedings for hearing with the proceedings under section 11 (b) (1) of the said Act directed against said New England Gas and Electric Association, certain hearings having been held on the consolidated matter, and said hearings having been continued until November 22, 1943; and

Counsel for New England Gas and Electric Association having requested that the continued hearing in this matter be postponed until November 29, 1943, because of other pressing engagements, and the Commission deeming it appropriate that the continued hearing be postponed to such date;

*It is ordered,* That the continued hearing in this matter previously scheduled for November 22, 1943, at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to November 29, 1943, at the same hour and place as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-17999; Filed, November 6, 1943;  
11:26 a. m.]

[File No. 1-2243]

ACME MINING CO.

## FINDINGS AND ORDER WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of November, A. D., 1943.

In the matter of Acme Mining Company; assessable common stock, 10¢ par value.

1. The assessable capital stock, par value 10¢ per share, of Acme Mining Company is listed and registered on the San Francisco Mining Exchange. On August 6, 1943, the Commission issued its order instituting this proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934 to determine whether or not Acme Mining Company, the registrant, has failed to comply with certain provisions of said Act or the rules and regulations thereunder, and whether or not the registration of said stock should be suspended or withdrawn.

2. After appropriate notice a hearing was held in the City of San Francisco at which neither the registrant nor the exchange appeared. The trial examiner filed an advisory report containing his findings of fact and recommending that the stock be withdrawn. Copies of this report were sent by registered mail to the registrant and the exchange, and receipt thereof was duly acknowledged.

3. The trial examiner found that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated thereunder in that:

(a) It has failed to file its annual report for the year ended December 31, 1942, which was required to be filed not later than April 30, 1943.

(b) In its annual reports for the years ended December 31, 1940, and December 31, 1941, the registrant failed to meet the requirements of Regulation S-X and included financial statements which are false and misleading in several respects.

4. No objections appear to have been made to the trial examiner's rulings, findings or recommendation, and no exceptions thereto have been filed with the Commission. The Commission therefore adopts the findings of the trial examiner, finds that the registrant has failed to comply with the requirements of section 13 of the Act and Rules X-13A-1 and X-13A-2 and Regulation S-X promulgated thereunder, and concludes that it is in the public interest to withdraw the registration of registrant's stock.

Accordingly, *It is ordered,* Pursuant to section 19 (a) (2) of the Act, that the registration of the stock in question be and it hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-18002; Filed, November 6, 1943;  
11:26 a. m.]

[File No. 70-713]

## UNITED UTILITIES, INCORPORATED

## NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of November, 1943.

Notice is herein given that an application and amendments thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by United Utilities, Incorporated ("United Utilities"), a registered holding company, with respect to a proposal to purchase additional shares of common stock of its subsidiary, The United Telephone Company of Pennsylvania ("United Telephone"), from The Bell Telephone Company of Pennsylvania ("Bell Telephone"). All interested persons are referred to said application, which is on file in the office of this Commission, for a complete statement of the transactions therein proposed, which are summarized as follows:

United Utilities which now owns 76% of the outstanding stock of United Telephone proposes to acquire the remainder of such outstanding stock, consisting of 7,002 shares of \$50 par value common capital stock owned by Bell Telephone, a non-affiliate, at a price of \$60 per share or a total cash consideration of \$420,120. The application states that the proposed transaction will permit United Utilities to file a consolidated federal income tax return, thus affecting a substantial saving in income taxes. The application further states that the funds necessary to finance the purchase of United Telephone stock will consist of \$220,120 in available cash and \$200,000 to be received in partial payment of indebtedness owing to United Utilities by its subsidiary, The Western Petroleum Exploration Company, and evidenced by a promissory demand note in the face amount of \$357,330.52 and bearing interest at 5½% per annum. In order to make this payment on its indebtedness, The Western Petroleum Exploration Company has obtained a commitment from The First National Bank of Wichita, Wichita, Kansas, for a loan of \$200,000 to be repaid in installments of \$5,000 per month and bearing interest at 3½% per annum.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application shall not be granted except pursuant to further order of this Commission.

It is ordered, That a hearing on said application, as amended, under the applicable provisions of the Act and the Rules of the Commission thereunder, be held on November 22, 1943, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk at that time shall advise. Notice of said hearing shall be given to United Utilities by registered mail and to all

other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before November 20, 1943.

It is further ordered, That Charles S. Lobingier, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of issues presented by said application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be paid by United Utilities for the stock of United Telephone is fair and reasonable.

2. Whether the acquisition of the stock of United Telephone will be detrimental to the carrying out of the provisions of section 11 of the Act.

3. Whether the proposed bank loan by The Western Petroleum Exploration Company is solely for the purpose of financing the business of such company and whether an exemption from the requirements of section 7 of the Act is available with respect to such loan by reason of the provisions of section 6 (b).

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-18000; Filed, November 6, 1943;  
11:26 a. m.]

[File Nos. 54-55, 59-51, and 70-803]

## SOUTHERN COLORADO POWER COMPANY

## MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of November, 1943.

Issue and sale of securities in connection with recapitalization by subsidiary of registered holding company.

Declaration, filed pursuant to section 7 of the Public Utility Holding Company Act of 1935, in connection with a voluntary recapitalization of a subsidiary of a registered holding company, regarding the issuance and sale to the public at competitive bidding of First Mortgage Bonds, Series due November 1, 1968, and regarding the issuance and sale to institutional investors at private sale of Serial

Notes, the proceeds derived therefrom together with treasury funds to be applied to the redemption of outstanding debt securities of the issuer, permitted to become effective; the Commission reserving jurisdiction with respect to the results of the competitive bidding.

On June 30, 1942, Southern Colorado Power Company (Southern Colorado) an electric utility company and a subsidiary of Standard Gas and Electric Company, a registered holding company, filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (the Act) for approval of a plan to comply with section 11 (b) (2) of the Act (File No. 54-55).<sup>1</sup> On July 2, 1942, the Commission instituted proceedings with respect to Southern Colorado under sections 11 (b) (2), 15 (f) and 20 (a) of the Act (File No. 59-51), and consolidated the proceedings with the section 11 (e) proceedings.<sup>2</sup> Southern Colorado amended its application on September 17, 1942.

On August 23, 1943, the Commission entered its Findings and Opinion with respect to the consolidated proceedings, Holding Company Act Release No. 4501, in which we concluded, among other things, that the plan, as amended, could not be approved unless it were further amended so as to comply with various requirements set forth in the Findings and Opinion.<sup>3</sup> Among the requirements which we deemed prerequisite to our approval of the plan was a refunding by Southern Colorado of its outstanding First Mortgage Gold Bonds, Series A, 6%, due July 1, 1947, in the principal amount of \$6,763,400. A declaration, and an amendment thereto, covering proposals designed to accomplish the refunding was filed pursuant to section 7 of the Act (File No. 70-803).

The company proposes to refund and redeem the outstanding bonds,<sup>4</sup> prior to consummation of its plan, at the redemption price of 102% of the principal amount thereof (\$6,898,668) plus accrued interest to the redemption date, by the use of treasury funds together with the proceeds from the issuance and sale of \$5,500,000 principal amount of First Mortgage Bonds, Series due November 1, 1968,<sup>5</sup> and of \$1,200,000 principal amount of Serial Notes.<sup>6</sup> The bonds are to be

<sup>1</sup> Holding Company Act Release No. 3644.

<sup>2</sup> Holding Company Act Release No. 3894.

<sup>3</sup> The company was required by our Findings and Opinion to file the additional amendment within 30 days from August 23, 1943 unless additional time were granted by us upon a proper showing. Pursuant to the company's request, we granted additional time for filing the amendment (Holding Company Act Release No. 4576). The amendment was filed on October 18, 1943 and subsequently amended on October 28, 1943.

<sup>4</sup> The securing of our approval of such redemption is unnecessary because of the provisions of Rule U-42 of our General Rules and Regulations.

<sup>5</sup> The new bonds will be redeemable, in whole or in part, on any date at the option of the company, on 30 days' notice, at the initial public offering price (adjusted to the nearest ½th of 1%, or a multiple thereof) and accrued interest, plus 3% of the principal amount, through October 31, 1944, and at lesser premiums thereafter.

issued under a Trust Indenture (qualified under the Trust Indenture Act of 1939) dated November 1, 1943, between Southern Colorado and the International Trust Company of Denver, Colorado, and will be offered for sale, at not less than face amount, by means of competitive bidding pursuant to Rule U-50. The interest rates are to be named by the successful bidders.

The notes are to be issued under Letters of Agreement between the company and the prospective purchasers, and will be sold at face amount to Guaranty Trust Company of New York (\$600,000) and The Travelers Insurance Company (\$600,000)<sup>7</sup>. The notes will mature serially over a ten year period in 20 semi-annual installments of \$60,000 each commencing May 1, 1944 and ending November 1, 1953, inclusive. The first five semi-annual installments will bear interest at the rate of 2 $\frac{3}{8}$ %; the next five at 2 $\frac{1}{2}$ %; the next five at 2 $\frac{3}{8}$ %; and the last five at 3%. The note agreements provide that the notes are being acquired for investment purposes.

We consolidated the prior proceedings with the proceedings in connection with the issuance and sale of the new securities (Holding Company Act Release No. 4637), and after appropriate notice a public hearing was held. It was stipulated that the record in the earlier proceedings might be considered as evidence in connection with the subject transactions.

At the time we considered the company's plan, we did not have before us a declaration regarding the refunding. However, the company stated that coincidentally with the consummation of the plan a refunding would be effected, and it was assumed that securities of the type and in the amounts now proposed would be issued. Since at that time we deemed it impossible to approve the plan without being certain that the outstanding bonds would be refunded in the contemplated manner, we stated that a refunding was a prerequisite to our approval of the plan, and we accordingly took occasion to consider the standards of the applicable sections of the Act. While we were unable to make definite findings with respect to the proposed debt securities, we did state that the new debt securities would meet the requirements

<sup>6</sup>The notes may be prepaid, in whole or in part, at any time at the option of the company, on 30 days' notice. No premium will be payable if the prepayment is made from the proceeds of the sale of capital stock or of property or from treasury cash in excess of the sum of (a) \$500,000 and (b) the amount of any money borrowed on unsecured loans subsequent to November 1, 1943. If prepayment is made otherwise, a premium is payable that will result in a yield basis from the date of prepayment to the date of maturity of 2 $\frac{1}{4}$ % provided that the premium cannot exceed 3% of the principal amount of the note prepaid.

<sup>7</sup>Since the notes have a maturity of ten years and will be issued to a commercial bank and an insurance company solely for investment, the sale of the notes is exempt from the competitive bidding requirements of Rule U-50 by reason of paragraph (a) (2) thereof.

of section 7, if the estimated interest rates thereon approximated 3 $\frac{1}{2}$ % and 3% for the bonds and notes, respectively, and if certain protective measures, set forth in our findings, were included in the indenture securing the new bonds and in the note agreements.

The interest rate on the new bonds has not yet been determined, but we note that the other aspects of the transaction are in conformity with our earlier findings. Since the bonds are being offered for competitive bidding pursuant to our Rule U-50, we shall require that Southern Colorado report to us the results of the bidding and we reserve for consideration at that time questions as to price, spread and allocation thereof, or any other matter relevant to the competitive bidding.

In our findings of August 23, 1943, we discussed fully the company's capital structure, property and earnings. The record indicates that the facts have not changed materially since our findings were issued, and we see no reason for repeating at this time the discussion therein contained. We note in passing, however, that the pertinent coverages, ratios and other relevant considerations have improved somewhat in the interim.

The estimated fees and expenses to be paid in connection with the proposed financing are as follows:

Registration fee.....	\$577.50
Federal Stamp Tax on bonds.....	6,050.00
Federal Stamp Tax on serial notes.....	1,320.00
Authentication of bonds by Trustee.....	3,500.00
Accounting.....	2,000.00
Fees of associate service company.....	5,000.00
Legal.....	10,750.00
Abstract and title companies.....	300.00
Printing and engraving.....	12,500.00
Recording fees.....	500.00
State qualification fees.....	1,500.00
Trustees' expense on redemption of bonds.....	2,500.00
Miscellaneous.....	3,500.00
	49,997.50

The record does not contain sufficient data to enable us, at this time to pass upon the reasonableness of the fees and expenses, and accordingly we shall reserve jurisdiction with respect thereto, except as to those items the amounts of which are fixed by law.

It is therefore ordered, That said declaration, as amended, be and it is hereby permitted to become effective, subject to the terms and conditions prescribed in Rule U-24: *Provided, however,* That jurisdiction is reserved in regard to the sale price and spread, if any, of the \$5,500,000 principal amount of First Mortgage Bonds, Series due November 1, 1968, as to which, and any other relevant matters, further findings will be made and a further order entered upon the filing of the amendment required by Rule U-50 (c).

<sup>8</sup>Southern Colorado has designated the firm of Chapman and Cutler as counsel for the successful bidder, and the fee and disbursements of such counsel, to be paid by the successful bidder, have been estimated at \$8,500 and \$500, respectively.

It is further ordered, That jurisdiction be and is hereby reserved with respect to the reasonableness of the fees and expenses to be paid by Southern Colorado in connection with the proposed financing, except for such items, the amounts of which are fixed by law.

It is further ordered, That jurisdiction be and hereby is reserved to consider all matters relating to these consolidated proceedings not disposed of by this order, to entertain such further proceedings, to make such further and supplemental findings, and to take such additional and further action as may be found by the Commission to be appropriate in the premises in connection with the consummation of said plan and related and incidental transactions not disposed of herein.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-18001; Filed, November 6, 1943; 11:26 a. m.]

[File Nos. 7-693, 7-694]

THE WHEELING STOCK EXCHANGE  
ORDER DISPOSING OF APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of November, A. D., 1943.

In the matter of applications by The Wheeling Stock Exchange for permission to extend unlisted trading privileges to Ward Baking Company, \$7 Cumulative Preferred Stock, Par Value \$50; Continental Baking Company Common Stock, No Par Value.

The Wheeling Stock Exchange having made applications to the Commission, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to two securities;

A hearing having been held after appropriate notice and the Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of The Wheeling Stock Exchange for permission to extend unlisted trading privileges to Continental Baking Company Common Stock, No Par Value, be and it hereby is approved;

It is further ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of The Wheeling Stock Exchange for permission to extend unlisted trading privileges to Ward Baking Company \$7 Cumulative Preferred Stock, Par Value \$50, be and it hereby is denied.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-18024; Filed, November 8, 1943; 10:19 a. m.]

[File No. 76-811]

## THE NORTH AMERICAN COMPANY

## NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of November 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company, a registered holding company.

Notice is further given that any interested person may, not later than November 20, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The North American Company proposes to pay on January 3, 1944, a dividend to its holders of common stock of record on December 3, 1943. Such dividend will be payable in the common stock of Pacific Gas and Electric Company having a par value of \$25 per share, owned by The North American Company, at the rate of one share of common stock of Pacific Gas and Electric Company on each 100 shares of the common stock of The North American Company outstanding. No certificates will be issued for fractions of shares of stock of Pacific Gas and Electric Company, but, in lieu thereof, cash will be paid at the rate of 29 cents for each  $\frac{1}{100}$ th of a share of stock of Pacific Gas and Electric Company, this rate being based on the approximate market price as of October 29, 1943, the date the proposed dividend was declared. The North American Company estimates that the payment of the above-mentioned dividend will involve the distribution of not more than 75,000 shares of the 1,858,223 shares of common stock of Pacific Gas and Electric Company owned by it and use of not more than \$405,000 of cash; and that the payment of such dividend will result in a charge of approximately \$2,700,000 to earned surplus.

By the Commission,

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-18025; Filed, November 8, 1943;  
10:19 a. m.]

No. 222—8

## SELECTIVE SERVICE SYSTEM.

[Order 118]

WERNERSVILLE STATE HOSPITAL PROJECT,  
PA.ESTABLISHMENT FOR CONSCIENTIOUS  
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the Wernersville State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 118. Said project, located at Wernersville, Berks County, Pennsylvania, will be the base of operations for work at the Wernersville State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local board as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Wernersville State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Wernersville State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Wernersville State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

NOVEMBER 3, 1943.

[F. R. Doc. 43-17982; Filed, November 6, 1943;  
9:56 a. m.]

[Order 119]

## NEW LISBON PROJECT, NEW JERSEY

ESTABLISHMENT FOR CONSCIENTIOUS  
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the New Lisbon Project to be work of national importance, to be known as Civilian Public Service Camp No. 119. Said project, located at New Lisbon, Burlington County, New Jersey, will be the base of operations for work at the New Lisbon

Colony, an institution under the State mental hospital system of New Jersey, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said New Lisbon Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, New Lisbon Colony, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the New Lisbon Colony. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

NOVEMBER 3, 1943.

[F. R. Doc. 43-17983; Filed, November 6, 1943;  
9:58 a. m.]

[Order 120]

KALAMAZOO STATE HOSPITAL PROJECT,  
MICH.ESTABLISHMENT FOR CONSCIENTIOUS  
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the Kalamazoo State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 120. Said project, located at Kalamazoo, Kalamazoo County, Michigan, will be the base of operations for work at the Kalamazoo State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Kalamazoo State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Kalamazoo State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Kalamazoo State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division

of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

NOVEMBER 3, 1943.

[F. R. Doc. 43-17984; Filed, November 6, 1943;  
9:56 a. m.]

#### WAR FOOD ADMINISTRATION.

[License No. 56]

MILK IN LEAVENWORTH, KANSAS, SALES  
AREA

##### ORDER TERMINATING LICENSE

The license for milk in the Leavenworth, Kansas sales area, issued by the Secretary of Agriculture on May 16, 1934, pursuant to the powers vested in him by the terms and provisions of Public Act No. 10, 73d Congress, May 12, 1933 (which license was suspended by the Secretary of Agriculture on October 1, 1941 (6 F.R. 5077) is hereby terminated effective as of the date of the execution hereof.

Done at Washington, D. C., this 5th day of November 1943.

THOMAS J. FLAVIN,  
Assistant to the  
War Food Administrator.

[F. R. Doc. 43-17967; Filed, November 5, 1943;  
3:42 p. m.]

#### TRANSFER OF AUTHORITY FROM MERRITT A. CLEVINGER, REGIONAL DIRECTOR, TO BUELL F. MABEN, REGIONAL DIRECTOR

Pursuant to the power vested in the Director of Food Distribution, all functions, duties, powers, authority, and discretion heretofore vested by any order or delegation in Merritt A. Clevinger, in his capacity as Regional Director, Food Distribution Administration, Pacific Region, War Food Administration, are hereby transferred to, and shall be exercised by, Buell F. Maben, Regional Director, Food Distribution Administration, Western Region, War Food Administration, effective on and after November 1, 1943.

Done at Washington, D. C., this 5th day of November 1943.

ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-17992; Filed, November 6, 1943;  
11:11 a. m.]

#### WAR PRODUCTION BOARD.

##### NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating No.	Builder's serial number	Company	Address	Location of project
27	6365	Standard Oil of La.	Baton Rouge, La.	Baton Rouge, La.
52	8364-A	Carbide & Carbon Chemical Corp.	80 E. 32d St., New York, N. Y.	Louisville, Ky.
53a	6884	Humble Oil & Refg. Co.	Humble Bldg., Houston, Tex.	Baytown, Tex.
56	16480	Dow Chemical Co.	Midland, Mich.	Los Angeles, Calif.
65	16488	B. F. Goodrich Co.	Akron, Ohio	Port Neches, Tex.
67	8836	U. S. Rubber Co.	1230 6th Ave., New York, N. Y.	Institute, W. Va.
68	874-A	B. F. Goodrich Co.	Akron, Ohio	Louisville, Ky.

Issued this 5th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-17949; Filed, November 5, 1943; 11:30 a. m.]

#### LOS ANGELES AND LONG BEACH HARBORS

##### AMENDMENT TO REVOCATION ORDER

Builder: U. S. War Department, Corps of Engineers, Washington, D. C. Project: Los Angeles and Long Beach Harbors, California.

The cancellation of revocation of Preference Rating issued on October 6, 1943 is hereby rescinded.

The revocation of Preference Rating issued January 6, 1943 with respect to the above named project is hereby amended by striking paragraph 3 thereof and by substituting the following:

3. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except for further permitted construction being construction necessary to protect all of the section in which "Class A" stone has been placed, not to exceed an estimated cost of \$170,000, and dredging at the mouth of the Los Angeles River, Long Beach Harbor, as provided for by Contract Number W-509-Eng 1605 to be amended by a supplemental agreement, the total cost of this contract being approximately \$734,200 in addition to cost to be borne by the U. S. Government.

Issued this 6th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-18006; Filed, November 6, 1943;  
11:23 a. m.]

#### CLEVELAND PNEUMATIC AEROL, INC.

##### AMENDMENT OF ORDER REVOKING PREFERENCE RATINGS

Builder: Cleveland Pneumatic Aerol, Inc., 2001 Euclid Avenue, Cleveland, Ohio. Project: Facilities to manufacture aircraft landing gear struts identified as Plancor 1053 Sponsored by the Navy Dept.—Bureau of Aeronautics.

Pursuant to the provisions of paragraph 3 of the War Production Board order issued June 10, 1943, revoking preference ratings issued to the above builder, a determination has been made that certain machine tools are necessary for the purpose set forth in said paragraph 3.

It is therefore ordered, That the said War Production Board order issued June 10, 1943 revoking certain preference rat-

ings issued to the above builder be and it hereby is amended as follows:

The revocation of ratings provided in paragraph 1, and the prohibition of construction and installation provided in paragraph 3, of said order are hereby revoked with respect to the machine tools set forth on the list marked Exhibit A attached hereto and made a part hereof, as though said order issued June 10, 1943 had specifically excepted said machine tools from the effect of the order;

The builder is hereby authorized to apply, and his suppliers to extend, to deliveries of the machine tools set forth in said list attached hereto and marked Exhibit A, and to construction materials incidental to installation of said machine tools, the ratings previously assigned to such machine tools and construction materials; and the builder is hereby authorized to install the said machine tools in the above project and to perform such construction as may be incidental to such installation: *Provided*, That such incidental construction shall not be in violation of the provisions of Conservation Order L-41 or the provisions of Preference Rating Order P-19-h, Builder's Serial Number 26247.

Issued this 6th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

##### EXHIBIT A

OCTOBER 2, 1943.

Two #74 Internal Grinders—10" Hollow Head—Order AD-635.

[F. R. Doc. 43-18004; Filed, November 6, 1943;  
11:23 a. m.]

[Serial No. 984-A]

#### BOISE PROJECT, IDAHO; ANDERSON RANCH DAM

##### CANCELLATION OF REVOCATION ORDER

Builder: Bureau of Reclamation—U. S. Dept. of Interior, Denver, Colorado, Project: Boise Project, Idaho—Anderson Ranch Dam.

The revocation of preference rating issued on December 26, 1942 is hereby cancelled.

Issued this 6th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-18005; Filed, November 6, 1943;  
11:24 a. m.]

**NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942.**

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued

in connection with synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating No.	Builder's serial No.	Company	Address	Location of project
8	248A	Standard Oil of La.	Baton Rouge, La.	Baton Rouge, La.
28	16492	Shell Chemical Co.	San Francisco, Calif.	Los Angeles, Calif.
59	792A	Carbide & Carbon Chemical Corp.	30 E. 42d St., New York, N.Y.	Institute, W. Va.

Issued this 8th day of November 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-18061; Filed, November 8, 1943; 11:21 a. m.]

**WAR SHIPPING ADMINISTRATION.  
VESSELS "BARROLLTON", "LAKE CRYSTAL"  
AND "LAKE HEMLOCK"**

**DETERMINATION OF OWNERSHIP**

Notice of determination of War Shipping Administration with respect to the vessels "Barrollton," Official Number 218009, "Lake Crystal," Official Number 216168 and "Lake Hemlock," Official Number 216261, pursuant to section 3 (b) of the Act approved March 24, 1943 (Pub. Law 17, 78th Cong.)

Notice is given that pursuant to section 3 (b) of the Act approved March 24, 1943, Public Law 17, 78th Congress, 1st session, the following determinations have been made:

Whereas on September 23, 1942, the title to the vessels "Barrollton," Official Number 218009, the "Lake Crystal," Official Number 216168 and the "Lake Hemlock," Official Number 216261 (including all spare parts appertaining thereto, whether aboard or ashore), was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17, 78th Congress, 1st session), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the expiration of a period of two months after

the date of delivery of such vessel pursuant to title requisition except with the consent of the owner.

and

Whereas just compensation for the said vessels has not been determined by the Administrator, War Shipping Administration, and no part thereof has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessels, their spare parts and appurtenances, is not required by the United States; and

Whereas, by mutual agreement between the Administrator, War Shipping Administration, and the Ford Motor Company of Dearborn, Michigan, the former owner of said vessels, the former owner has consented to the determination by the Administrator that the use rather than the title of the said vessels, their spare parts and appurtenances, shall be deemed to have been requisitioned as of the date of the original taking thereof, namely, September 23, 1942;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provision of law, do determine that the ownership of said vessels, their spare parts and appurtenances, is not required by the United States, and that the requisition of the above-mentioned vessels, their spare parts and appurtenances, on September 23, 1942, shall be deemed to have been, for all purposes, a requisition of the use rather than of the title of said vessels, their spare parts and appurtenances, as of the date of the original taking thereof, namely, September 23, 1942, such conversion to be effective on and after the date of publication hereof in the FEDERAL REGISTER.

[SEAL]

E. S. LAND,  
Administrator.

NOVEMBER 5, 1943.

[F. R. Doc. 43-17993; Filed, November 6, 1943; 10:36 a. m.]









